

ORIGINAL

Page 1

64

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA ) 2:17-cr-00184-JD-1  
)  
vs. ) Philadelphia, PA  
) DATE: November 2, 2018  
YOUNIES BAYOUMY, )  
) 11:20 a.m.-12:33 p.m.  
Defendant. )

ARRAIGNMENT AND PLEA HEARING  
BEFORE THE HONORABLE JAN E. DUBOIS  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government:

MICHELLE ROTELLA, ESQ.  
U.S. Attorney's Office  
615 Chestnut Street  
Suite 1250  
Philadelphia, PA 19106-4476

KATE BARKMAN, Clerk  
By KK Dep. Clerk

For the Defendant:

KATHLEEN M. GAUGHAN, ESQ.  
FEDERA DEFENDERS OFFICE  
601 Walnut Street  
Suite 540  
Philadelphia, PA 19106

ESR Operator:

MICHAEL COSGROVE

Veritext National Court Reporting Company  
Mid-Atlantic Region  
1801 Market Street - Suite 1800  
Philadelphia, PA 19103  
1-888-777-6690

Veritext Legal Solutions

215-241-1000 ~ 610-434-8588 ~ 302-571-0510 ~ 202-803-8830

DH

I N D E X

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

	PAGE
DISCUSSION AMONG ALL	3
QUALIFICATIONS OF DEFENDANT ON ARRAIGNMENT	13
GUILTY PLEA	18
QUALIFICATIONS OF DEFENDANT ON GUILTY PLEA	18
COURT'S FINDING	53

P R O C E E D I N G S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

THE COURT: Good morning, everyone.  
Please be seated.

MS. ROTELLA: Good morning, Your Honor.

MS. GAUGHAN: Good morning, Your Honor.

(Pause)

THE COURT: I call the case of United States of America versus Younies Bayoumy. Am I pronouncing that correctly?

MS. GAUGHAN: Yes, Your Honor.

THE COURT: Criminal No. 17-184.

We had scheduled a change of plea hearing for today. This morning I received a superseding information, and so we will proceed with an arraignment.

Before we do, and the reason I'm late, I was trying to figure out what the Government did in the case. I got no advance notice and the bottom line, the charge in the superseding information does not appear to be covered in the indictment.

So I'd like the Government to explain what is being done and then we'll proceed with an arraignment, and I'll determine whether we can prepare also with an expedited presentence investigation.

Right now I don't know very much about

1 the case, and I want to know more about the case  
2 before I sentence. So I'll just set the stage. I'm  
3 inclined not unless there's a compelling reason. I'm  
4 inclined not to require an expedited investigation.

5 MS. ROTELLA: So I'm sorry, I don't  
6 know what happened, because I sent the Government's  
7 change of plea memorandum that encompassed that  
8 superseding information last week. So --

9 THE COURT: Never got -- well last  
10 week, never got it. We were here -- I was here last  
11 week, I was in a government meeting out of the city --  
12 a meeting of judges out of the city.

13 MS. ROTELLA: I apologize, Your Honor,  
14 could I hand you a copy?

15 THE COURT: I have it.

16 MS. ROTELLA: Oh, you do. Okay.

17 So what ended up happening in this  
18 case, Your Honor, is this is the only time that I've  
19 -- our office and I have ever engaged in this type of  
20 resolution.

21 Mr. Bayoumy was originally charged with  
22 a number of very serious child sex offenses. He was  
23 first charged by a Special Assistant United States  
24 Attorney that was assigned to our office. It was  
25 approved and he was charged here.

1 But in the course of negotiations with  
2 counsel there were several experts that she brought in  
3 and presented to the Government regarding  
4 Mr. Bayoumy's diagnosis of being on the autism  
5 spectrum. And then also in terms of discussing the  
6 specific allegations against Mr. Bayoumy we came to an  
7 resolution that involved the filing of a superseding  
8 information that would involve a charge that would not  
9 register him as a child sex offender.

10 And the reason being that in this  
11 particular case that is laid out in the Government's  
12 change of plea memorandum, some of the factual basis,  
13 this Defendant began a relationship with the victim in  
14 this case when he was 17 and she was 15 years of age,  
15 and their relationship continued over the next two  
16 years, including when Mr. Bayoumy then became an  
17 adult, and so he continued to have contact with her  
18 over that time period, and of course when he became an  
19 adult she was still a minor. And so his requesting --  
20 engaging her in the type of conversation that they  
21 engaged in, sexually explicit conversation, and his  
22 request in her to manufacture sexually explicit images  
23 of herself, which she did do, at his direction, and  
24 sent to him over the internet, Mr. Bayoumy was located  
25 in England and the victim in this case was located in

1 the Eastern District of Pennsylvania. So they would  
2 go back and forth in terms of sending images to each  
3 other.

4 But when we seized Mr. Bayoumy's  
5 equipment he had traveled to the United States to come  
6 visit her. She was aware of the visit, had not told  
7 her parents, the parents were not, and so because she  
8 was still a minor and Mr. Bayoumy at the time had  
9 turned 19 it became the investigation that led to the  
10 original filing here that involved charges of  
11 manufacturing child pornography and so forth.

12 His conduct technically fits that  
13 statute, and he did -- we could go forward and legally  
14 could convict him of manufacturing child pornography.  
15 In this particular case because of the age -- the lack  
16 of an age difference that was troubling here, as was  
17 the fact that the forensic review of his equipment did  
18 not reveal any other instance of child sexual offenses  
19 other than this particular victim, there were no --  
20 nothing at all in terms of his collection of images or  
21 videos that would depict anybody under the age of 18,  
22 there were no internet searches for material of that  
23 nature, there were no conversations with anybody else  
24 that was a minor, and in fact what we found was the  
25 opposite, that he actually possessed images of people

1 who were over the age of 18.

2 So there was just no indication --  
3 while it technically fits and there just was no other  
4 indication that his true nature was that of a child  
5 sex offender, which is the reason why this is the only  
6 time I've ever come before a court to say that as an  
7 office the Government did not believe requiring him to  
8 register and labeling him as a child sex offender was  
9 appropriate in this case.

10 He did commit criminal offenses  
11 however, which is why we've crafted this superseding  
12 indictment.

13 THE COURT: Superseding information.

14 MS. ROTELLA: Excuse me. Superseding  
15 information. That particular charge, which is  
16 importation of obscene material into the United States  
17 does not require him to register as a child sex  
18 offender.

19 And he has spent -- he was initially  
20 arrested by Delaware County on these offenses and he  
21 spent some time in state custody before the original  
22 indictment was issued here and then we took him into  
23 federal custody. So I believe he's been in  
24 approximately two years for these offenses.

25 And so our office thought it

1 appropriate to offer a time served plea, which is why  
2 when we had spoken with counsel and also with the  
3 probation office we thought it was appropriate to ask  
4 for an expedited PSR in this case.

5 So that's the background.

6 THE COURT: Well you've explained the  
7 Government's position very well. It sounds like a  
8 very sensitive position that -- well I'm not going to  
9 quarrel with it. We did a time served calculation and  
10 it appears it's a little more than two years.

11 MS. GAUGHAN: It's about 29 months,  
12 Your Honor, I believe.

13 THE COURT: I have 2 years, 4 months,  
14 12 days, almost 29 months.

15 MS. GAUGHAN: Uh-huh.

16 THE COURT: Well you've explained  
17 yourself very well, and you're right, it's been quite  
18 a while I've not had a situation like this. I would  
19 hope that the Government would be insensitive to the  
20 needs of other defendants faced with the same  
21 draconian charges and sex offender charges are in  
22 reality draconian not in small part attributable to  
23 the requirement that they register as a sex offender,  
24 that's something that is really -- well impact it has  
25 many, many consequences.

1 All right. Does the defense wish to  
2 say anything?

3 MS. GAUGHAN: No, Your Honor. At the  
4 conclusion I would just give some more information as  
5 to why I believe a protracted PRS a appropriate in  
6 this case.

7 THE COURT: All right. And we'll --

8 MS. GAUGHAN: But I --

9 THE COURT: -- talk more about that.

10 MS. GAUGHAN: Sure.

11 THE COURT: Thank you, Ms. Rotella.

12 Are the parties ready to proceed with  
13 the -- it would be an arraignment and guilty plea  
14 hearing on the superseding information?

15 MS. GAUGHAN: Yes, Your Honor.

16 THE COURT: All right. Will you come  
17 forward with the Defendant, please.

18 MS. GAUGHAN: Sure.

19 THE COURT: Please administer the oath  
20 to the Defendant.

21 THE CLERK: Please raise your right  
22 hand.

23 YOUNIES BAYOUMY, WITNESS, SWORN

24 THE CLERK: Thank you.

25 THE COURT: Mr. Bayoumy, let me explain

1 what we're going to do today. First I'm going to  
2 arraign you on the new charges against you, single  
3 charge, in what is called a superseding information.  
4 You were already arraigned on the original indictment,  
5 which contained nine or ten counts, more serious  
6 charges against you and you pled not guilty.

7 In connection with your plea  
8 negotiations with the Government the Government  
9 determined that it was appropriate to file a  
10 superseding information, which contains a serious  
11 charge against you, but not nearly as serious a charge  
12 as was set forth in the much more substantial original  
13 indictment. Do you understand that?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: Have you read the  
16 superseding information?

17 THE DEFENDANT: Yes, Your Honor.

18 THE COURT: All right. I'm going to  
19 arraign you as I said. I will ask you at the end and  
20 it's a very brief proceeding whether you wish to plead  
21 not guilty, and I anticipate you'll say you wish to  
22 plead guilty, and then we will proceed with a plea  
23 hearing. And the plea hearing will address these  
24 issues.

25 First I'm going to ask you some

1 background questions. I'll do that in connection with  
2 the arraignment and also a little more expansive  
3 questioning in connection with the guilty plea  
4 hearing.

5 I'm going to explain the rights that  
6 you give up when you plead guilty. This will be part  
7 of the guilty plea hearing.

8 I'm going to explain the maximum  
9 penalty that can be imposed as a result of your guilty  
10 plea.

11 I'm going to have the Government  
12 explain the plea agreement to make certain that you  
13 understand the plea agreement.

14 I'm going to question you to determine  
15 whether your decisions to plead guilty and to sign the  
16 plea agreement were knowing and voluntary. That you  
17 knew what you were doing and that no one forced you  
18 into doing it.

19 I then will explain the essential  
20 elements of the charge in the superseding information.  
21 The essential elements are what the Government must  
22 prove beyond a reasonable doubt in order to obtain a  
23 conviction.

24 And when that's completed I'll have the  
25 Government summarize its evidence and ask you whether

1 you did the things the Government says you did.

2 Do you understand that procedure?

3 THE DEFENDANT: Yes, Your Honor.

4 THE COURT: Do you have any questions  
5 about it?

6 THE DEFENDANT: No, Your Honor.

7 THE COURT: If you wish to talk to  
8 Ms. Gaughan at any time during the proceedings you may  
9 do so. Simply ask permission to step aside and speak  
10 privately with her. Privately and off the record. Do  
11 you understand that?

12 THE DEFENDANT: Yes, Your Honor.

13 THE COURT: If you do not understand  
14 any of me questions I want you to say so and I will  
15 explain them to you. Do you understand that  
16 instruction?

17 THE DEFENDANT: Yes, Your Honor.

18 THE COURT: If you go ahead and answer  
19 a question I'm going to assume number 1, that you're  
20 answering it truthful; and number 2, that you  
21 understand the question. Do you understand that?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: You should know because you  
24 seek to plead guilty that I'm going to ask you  
25 questions about the offense charged in the superseding

1 information. You should know that your answers to  
2 those questions may be used against you if you are  
3 later prosecuted for perjury or for making a false  
4 statement. Do you have any questions about that?

5 THE DEFENDANT: No, Your Honor.

6 THE COURT: All right. We'll proceed  
7 with the arraignment.

8 How old are you, Mr. Bayoumy?

9 THE DEFENDANT: Twenty-one.

10 THE COURT: Where were you born?

11 THE DEFENDANT: London. West London.

12 THE COURT: That's London, England.

13 THE DEFENDANT: Yeah.

14 THE COURT: How far did you go in  
15 school?

16 THE DEFENDANT: I actually admissiomed  
17 into university right before I came here, but I did  
18 not manage to go back.

19 THE COURT: Did you attend any  
20 university classes?

21 THE DEFENDANT: No. I didn't get the  
22 chance to do so yet.

23 THE COURT: Because you came here.

24 THE DEFENDANT: Yes.

25 THE COURT: I know the answer to this

1 question but I want it on the record. Do you read,  
2 write, and understand English?

3 THE DEFENDANT: Yes.

4 THE COURT: Are you currently under the  
5 care of a physician?

6 THE DEFENDANT: No.

7 THE COURT: How would you describe your  
8 health?

9 THE DEFENDANT: Physical or mental?

10 THE COURT: Physical first.

11 THE DEFENDANT: I think my physical  
12 health is well. That's how I describe it.

13 THE COURT: Are you taking any  
14 medication?

15 THE DEFENDANT: Yeah, but I'm taking it  
16 for anxiety and depression currently.

17 THE COURT: Now you're talking about  
18 mental health.

19 THE DEFENDANT: Yeah.

20 THE COURT: How would you describe your  
21 mental health?

22 THE DEFENDANT: I believe that I have  
23 some issues, but I feel that I could -- once I address  
24 them that I could seek the right help and treatment  
25 and become more efficient as a person I guess.

1 THE COURT: You mentioned anxiety and  
2 depression. Is that what you think you have?

3 THE DEFENDANT: No. I'm saying that  
4 the only medication I'm currently taking right now in  
5 the Federal Detention Center is for anxiety and  
6 depression.

7 THE COURT: What is it?

8 THE DEFENDANT: One of them is called  
9 Sertraline, and the other one I forget the name. I'm  
10 bad with names.

11 THE COURT: Ms. Gaughan, do you know  
12 those medications?

13 MS. GAUGHAN: I do not, Judge. I knew  
14 them originally, but I think that they changed. But  
15 he's correct as far as anxiety. I thought it was --

16 THE COURT: Ms. Rotella, there's an  
17 ancient requirement not frequently followed that  
18 states that the detention center or the marshals will  
19 advise the Government of any psychotropic medications  
20 on which a defendant is -- which are prescribed for a  
21 defendant. Do you have any such information?

22 MS. ROTELLA: I do not, Your Honor.

23 THE COURT: Do these medications that  
24 you're taking, whatever they are, affect your ability  
25 to understand my questions?

1 THE DEFENDANT: No. No, Your Honor.

2 THE COURT: Do they affect your ability  
3 to answer my questions?

4 THE DEFENDANT: Absolutely not, Your  
5 Honor.

6 THE COURT: Okay. For now that will  
7 suffice.

8 Have you used any hard drugs in the  
9 last week?

10 THE DEFENDANT: No. No, Your Honor.

11 THE COURT: Have you ever used hard  
12 drugs? Hard drugs such as heroin or cocaine.

13 THE DEFENDANT: Oh, no. No.

14 THE COURT: Have you used any marijuana  
15 in the last week?

16 THE DEFENDANT: No.

17 THE COURT: Have you ever used  
18 marijuana?

19 THE DEFENDANT: Yes.

20 THE COURT: When last?

21 THE DEFENDANT: I would say three years  
22 ago.

23 THE COURT: Have you ever had any  
24 treatment for addiction to marijuana?

25 THE DEFENDANT: No.

1 THE COURT: Have you consumed any  
2 alcoholic beverages in the last week?

3 THE DEFENDANT: No.

4 THE COURT: Have you ever been told  
5 you're an alcoholic?

6 THE DEFENDANT: No.

7 THE COURT: Ms. Gaughan and the federal  
8 defender were appointed to represent you in this case.  
9 Are you fully satisfied with Ms. Gaughan as your  
10 attorney?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Are you fully satisfied  
13 with her advice?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: Have you received a copy of  
16 the superseding information to which I referred  
17 earlier?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: Have you read it?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Do you understand it?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: It charges you in one count  
24 with knowingly transporting into the United States  
25 obscene, lewd, lascivious photographs and other matter

1 described as sexually explicit. And lascivious,  
2 visual depictions of minor number 1, which matter was  
3 transported in interstate and foreign commerce on or  
4 about June 21st, 2016 in this district in violation of  
5 a provision of the United States Code, 18 United  
6 States Code Section 1462(a). Do you understand those  
7 charges?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: Is there any need for me to  
10 explain them in more detail?

11 THE DEFENDANT: No, Your Honor.

12 THE COURT: How do you wish to plead to  
13 the charges in the superseding information?

14 THE DEFENDANT: Guilty.

15 THE COURT: All right. We will now  
16 proceed with the guilty plea hearing, which I  
17 explained to you a bit earlier.

18 A few more background questions. Did  
19 you ever marry the young woman you came to the United  
20 States to visit?

21 THE DEFENDANT: No, Your Honor.

22 THE COURT: Is that your intention?

23 THE DEFENDANT: No, Your Honor.

24 THE COURT: At the time of your arrest  
25 were you employed?

1 THE DEFENDANT: No, but I was recently  
2 employed prior to me coming here.

3 THE COURT: And when was that and where  
4 was that?

5 THE DEFENDANT: I was -- I stopped  
6 working in February and --

7 THE COURT: What year, February?

8 THE DEFENDANT: Oh, 2016 towards the  
9 end of February. I was just helping with like a local  
10 hardware store. I was helping them fix computer parts  
11 and components, stuff like that.

12 THE COURT: When did you come to the  
13 United States?

14 THE DEFENDANT: June 21st, 2016.

15 THE COURT: And do you remember the  
16 date on which you were arrested?

17 THE DEFENDANT: Vaguely. Yes.

18 THE COURT: What?

19 THE DEFENDANT: Huh?

20 THE COURT: What was it?

21 THE DEFENDANT: Oh, it was the same day  
22 I came to the United States.

23 THE COURT: June 21st.

24 THE DEFENDANT: Yes.

25 THE COURT: 2016. Have you ever been

1 married?

2 THE DEFENDANT: No.

3 THE COURT: Do you have any children?

4 THE DEFENDANT: No.

5 THE COURT: All right. We've covered  
6 the indictment, I'm now going to advise you of the  
7 maximum penalty that can be imposed as a result of  
8 your guilty plea.

9 You were charged with violating 18  
10 United States Code Section 1462(a), the maximum  
11 penalty that can be imposed as a result of your guilty  
12 plea is 5 years incarceration, 3 years of supervised  
13 release, a \$250,000 fine, and a \$100 special  
14 assessment. Do you understand that?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: In addition restitution  
17 will be ordered and the property used to commit the  
18 offense will also be ordered. Do you understand that?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: I note, Ms. Rotella, that  
21 you state that restitution will be ordered. This is  
22 restitution to the victim?

23 MS. ROTELLA: Yes, Your Honor, but  
24 she's not making a claim for any as of now. We're  
25 required to notice her by law of the sentencing

1 hearing coming up, I don't expect that she's going to  
2 seek any restitution, but it is mandatory.

3 THE COURT: Fine. And you're aware of  
4 the restitution provisions which permit me to defer  
5 ruling on restitution --

6 MS. ROTELLA: Yes, Your Honor.

7 THE COURT: -- for a short period of  
8 time. I think it's --

9 MS. ROTELLA: I think it's 90 day  
10 actually.

11 THE COURT: I was going to say 60 or 90  
12 days. All right.

13 In addition, Ms. Rotella, if the  
14 Defendant is placed on supervised release, and he will  
15 be if I agree with the Government, and he violates the  
16 terms of his supervised release he can be incarcerated  
17 for how long?

18 MS. ROTELLA: On a five-year sentence I  
19 believe it's up to one year.

20 THE COURT: All right. Do you  
21 understand that, Mr. Bayoumy?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: You've been in custody,  
24 whatever I do today you'll be placed on supervised  
25 release for some period of time. Supervised release

1 is supervision, you're not in custody.

2 You're on your feet?

3 MS. ROTELLA: I am, I'm sorry, I stand  
4 corrected.

5 THE COURT: It's more than one years.

6 MS. ROTELLA: It's two years, you're  
7 correct.

8 THE COURT: Yes.

9 MS. ROTELLA: And it's in his guilty  
10 plea agreement, paragraph 5.

11 THE COURT: It usually is. I don't  
12 know why the Government has stopped putting this  
13 information in the change of plea memorandum, it's  
14 usually in the plea agreement. A lot of back and  
15 forth, Mr. Bayoumy.

16 All this means is that if you're on  
17 supervised release, which is supervision after you're  
18 released from custody, and you violate the terms of  
19 your supervised release you can be incarcerated again  
20 for up to two years. Do you understand that?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: All right. Now, the  
23 Government is required to indict you, and they did  
24 quite some time ago on the original indictment. They  
25 then issued a much less severe superseding

1 information. You have a right to require the  
2 Government to indict you. Do you understand that?  
3 Probably not. Let me explain it to you.

4 The Government in most cases without a  
5 plea agreement, if a defendant insists, the Government  
6 will have to present evidence to the grand jury and  
7 the grand jury then decides whether there's probable  
8 cause to believe a crime has been committed. That's  
9 what happens in most cases. That's what happened in  
10 your case at the very beginning.

11 Because of your plea agreement, your  
12 plea negotiations the Government decided the original  
13 indictment was too harsh, and although you were guilty  
14 of those violations technically in actuality you had  
15 not committed those crimes, you had not intended to  
16 commit the crimes charged, so they issued a  
17 superseding information, including only a lesser  
18 charge, a less serious charge. But you can still  
19 insist on being indicted if you care to. And I have  
20 to tell you that you have a right to be indicted  
21 whether it sounds silly or not under the circumstances  
22 of this case. Do you understand that?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: So I'm telling you, you  
25 have a right to require the Government to indict you.

1 That means you have a right to require the Government  
2 to present evidence to the grand jury and have the  
3 grand jury determine whether there's probable cause to  
4 believe you committed the crime charged in the  
5 superseding information. Do you understand that?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Now, you can give up that  
8 right to be indicted, and before I determine whether  
9 you do so, when you give up the right to be indicted  
10 you give up the right to challenge deficiencies in the  
11 indictment. You give up the right to challenge  
12 deficiencies in the grand jury proceedings, including  
13 misconduct of the prosecutor. And you give up the  
14 right to challenge the make up of the grand jury.

15 Now, do you wish to give up to right to  
16 be indicted?

17 MS. GAUGHAN: Your Honor, may I just --

18 (Pause)

19 MS. GAUGHAN: Thank you, Your Honor.

20 THE DEFENDANT: No, Your Honor, I do  
21 not wish to be indicted.

22 THE COURT: I'm sorry, no, you do  
23 not --

24 MS. GAUGHAN: Wish to be indicted.

25 THE COURT: Fine. That's what I

1 thought you said. Is there a waiver of indictment  
2 form?

3 MS. GAUGHAN: Yes, there is, Your  
4 Honor.

5 THE COURT: May I see it? Show this --  
6 Michael, give this to Ms. -- we're going to have to  
7 question the Defendant on this.

8 Is that your signature on the waiver of  
9 indictment form?

10 THE DEFENDANT: Yes, Your Honor.

11 THE COURT: Did you understand when you  
12 signed it that you were giving up the right to be  
13 indicted?

14 THE DEFENDANT: Yes, Your Honor. Just  
15 excuse me for appearing to not understand earlier on,  
16 it was just the wording that confused me a little bit.  
17 But yes, Your Honor, I do understand the waiver of  
18 indictment.

19 THE COURT: And do you have any  
20 questions about it?

21 THE DEFENDANT: No, Your Honor.

22 THE COURT: That's your signature on  
23 the form?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: When did you sign it?

1 THE DEFENDANT: I signed it  
2 approximately 15 minutes before you arrived.

3 THE COURT: All right. And counsel  
4 have signed it as well?

5 MS. ROTELLA: Yes, Your Honor.

6 THE COURT: All right. I'll accept the  
7 waiver of indictment form.

8 MS. ROTELLA: Thank you.

9 THE COURT: Will you hand it up,  
10 please.

11 All right. Now we'll address the  
12 rights that you give up when you plead guilty.

13 You have many rights as you stand  
14 before me, rights pretrial, those are rights before a  
15 trial, and rights at trial, and you give up all of  
16 these rights when you plead guilty, and so I'm going  
17 to explain them to you.

18 First the pretrial rights that you give  
19 up are these.

20 You give up the right to challenge the  
21 manner of the arrest, the failure of the Government to  
22 obtain a search warrant or an arrest warrant. You  
23 give up the right to challenge the method of obtaining  
24 evidence. You give up the right to challenge the  
25 conduct of any search or other method of

1 investigation. Those are the pre-trial rights that  
2 you give up when you plead guilty. Do you understand  
3 that?

4 THE DEFENDANT: Yes, Your Honor.

5 THE COURT: Any questions about that?

6 THE DEFENDANT: No, Your Honor.

7 THE COURT: Now, you have a right to  
8 plead not guilty and make the Government prove its  
9 case. Do you understand that?

10 THE DEFENDANT: Yes, Your Honor.

11 THE COURT: Do you understand that  
12 pleading guilty has the effect of a finding of guilty  
13 after a jury trial? So when you plead guilty you put  
14 yourself in the same position as if you went to trial  
15 and were convicted on that count to which you pled  
16 guilty. This single count, one count in the  
17 superseding information. Do you understand that?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: Finally, Ms. Gaughan was  
20 appointed to represent you in this case, and should  
21 you decide not to plead guilty she will continue to  
22 represent you in all other pretrial matters. She will  
23 represent you at trial. And should you be convicted  
24 on the charge in the superseding information she will  
25 continue to represent you on appeal. Do you

1 understand that?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: All right. Now, I'm going  
4 to discuss with you the rights that you have at trial  
5 that you give up when you plead guilty, because there  
6 is no trial with a guilty plea.

7 First the presumption of innocence. As  
8 you stand before me you're presumed to be innocent,  
9 and that presumption of innocence would remain with  
10 you until such time as all 12 members of the jury  
11 agree on your guilt. Do you understand that?

12 THE DEFENDANT: Yes, Your Honor.

13 THE COURT: The Government is required  
14 to prove every element of the offense charged in the  
15 superseding information beyond all reasonable doubt.  
16 Do you understand that when you plead guilty you give  
17 up the right to require the Government to do so?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: As you stand before me you  
20 have a right to a jury trial or if you prefer and the  
21 Government agrees and I approve the case can be tried  
22 to me sitting without a jury. Do you understand that  
23 when you plead guilty there are no trials?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: If you were to proceed with

1 a jury trial you give up certain rights, and I will  
2 explain those to you now.

3 Well let me back up. If you were to  
4 proceed with a jury trial you have certain rights, all  
5 of which you give up when you plead guilty. Those are  
6 the rights I'll explain to you now.

7 First, you have a right to participate  
8 in jury selection.

9 Second, your attorney has an  
10 opportunity to speak to the jury in an opening  
11 statement and in a closing argument.

12 Third, your attorney has the right to  
13 seek instructions to the jury which might be of  
14 assistance to you.

15 And fourth, you can be convicted only  
16 if all 12 members of your jury -- of the jury agree on  
17 your guilt.

18 You give up all of these rights when  
19 you plead guilty because there is no jury trial with a  
20 guilty plea. Do you understand that?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: Whether the case is tried  
23 to a jury or to a judge sitting without a jury you  
24 have additional rights, all of which you give up when  
25 you plead guilty. Because as I've said before, there

1 are no trials with a jury -- with a guilty plea.  
2 These additional rights that you give up when you  
3 plead guilty, additional rights associated with jury  
4 and non-jury trials are these.

5 One, you give up the right to confront  
6 and cross-examine witnesses against you.

7 Two, you give up the right to testify  
8 in your own defense.

9 Three, you give up the right not to be  
10 a witness against yourself under the Fifth Amendment  
11 to the constitution and the fact that you do not  
12 testify cannot be held against you by the jury because  
13 I would explain to the jury that that is your  
14 constitutional right.

15 Four, you give up the right to present  
16 witnesses in your defense, including the right to  
17 issue subpoenas to compel witnesses to come to court  
18 to testify.

19 And five, you may present character  
20 witnesses whose testimony, considered together with  
21 all of the other evidence, could raise a reasonable  
22 doubt as to your guilt, and you give up that right  
23 when you plead guilty.

24 Because with respect to all of these  
25 rights I've just explained to you with a guilty plea

1     there is no jury trial, there is no non-jury trial,  
2     and so you give up these rights. Do you understand  
3     that?

4                     THE DEFENDANT: Yes, Your Honor.

5                     THE COURT: Any questions about that?

6                     THE DEFENDANT: No, Your Honor.

7                     THE COURT: Ordinarily the right to  
8     appeal from a guilty plea is limited to errors in this  
9     proceeding and to the imposition of an illegal  
10    sentence. Do you understand that?

11                    THE DEFENDANT: Yes, Your Honor.

12                    THE COURT: In this case under the  
13    provisions of your guilty plea you have agreed to  
14    additional limitations on your right to appeal and to  
15    collaterally attack your conviction or sentence or  
16    other matters relating to the prosecution.

17                    Let's talk a bit about the guilty plea  
18    agreement. Is the original in court?

19                    MS. GAUGHAN: Yes, Your Honor. I have  
20    the original here.

21                    THE COURT: Fine. Will you take a look  
22    at that original guilty plea agreement? Have you read  
23    it?

24                    THE DEFENDANT: Yes, Your Honor.

25                    THE COURT: You read it before today?

1 THE DEFENDANT: Yes.

2 THE COURT: Did you understand it?

3 THE DEFENDANT: Yes, Your Honor.

4 THE COURT: Did you discuss it with

5 Ms. Gaughan?

6 THE DEFENDANT: Yes, Your Honor. Well

7 I --

8 MS. GAUGHAN: Just for the record, Your  
9 Honor, Ms. Toplin is also on this case and I was away,  
10 Ms. Toplin went on October 24th, which is the date of  
11 the signed plea agreement, and reviewed the agreement  
12 in its entirety with Mr. Bayoumy, who signed it along  
13 with Ms. Toplin for my signature.

14 So I have discussed this with him in  
15 detail but not -- I did not go over the actual plea  
16 agreement, that was Ms. Toplin on October 24th.

17 THE COURT: Fine. Did Ms. Toplin  
18 answer any questions that you had about the plea  
19 agreement?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Turn to the signature page,  
22 which is page 12. Is that your signature?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: And who signed the plea  
25 agreement? I have a signature line for you,

1 Ms. Gaughan, was it Ms. Toplin who signed it?

2 MS. GAUGHAN: It was Ms. Toplin who  
3 signed that, Your Honor, yes.

4 THE COURT: And when was that done?

5 MS. GAUGHAN: October 24th, 2018, at  
6 the Federal Detention Center.

7 THE COURT: All right. Turn please to  
8 the next page, the acknowledgment of rights form. Did  
9 you also read that form? It's entitled acknowledgment  
10 of rights and it's a three-page form.

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Did you understand it?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: Is that your signature?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: And did Ms. Toplin sign it  
17 as well?

18 MS. GAUGHAN: She did, Your Honor,  
19 again on that same day, October 24th.

20 THE COURT: All right. Did you  
21 understand the acknowledgment of rights form to  
22 explain the rights that you give up when you plead  
23 guilty?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: And is it correct that the

1 rights that you acknowledged giving up when you plead  
2 guilty in that form are the same rights that I  
3 explained to you today you give up when you plead  
4 guilty?

5 THE DEFENDANT: Yes, Your Honor.

6 THE COURT: All right. We were talking  
7 about the right to appeal and to collaterally attack  
8 your conviction or sentence or other matters relating  
9 to the prosecution, and I told you that ordinarily an  
10 appeal from a guilty plea is limited to errors  
11 committed in this proceeding or to the imposition of  
12 an unlawful sentence.

13 In the plea agreement, and it begins at  
14 page -- I think what I'm going to have you do,  
15 Ms. Rotella, is come forward and read the provisions  
16 of the plea agreement or explain the provisions of the  
17 plea agreement relating to the limitations on the  
18 right to appeal and the limitations on the right to  
19 collaterally attack. No, no, Ms. Gaughan, you've been  
20 here before.

21 MS. GAUGHAN: Okay.

22 THE COURT: You're going to remain, and  
23 so is Mr. Bayoumy. Back.

24 Ms. Rotella? You're not -- what will  
25 happen now, and the same procedure will be followed

1 with respect to the other provisions of the plea  
2 agreement, Ms. Rotella will explain to you the  
3 provisions of the plea agreement that relate to your  
4 right to appeal, the limitations on your right to  
5 appeal, and the limitations on your right to  
6 collaterally attack your conviction, your sentence, or  
7 any other matter relating to the proceeding.

8 MS. ROTELLA: So --

9 THE COURT: Beginning with what  
10 paragraph?

11 MS. ROTELLA: We're beginning with  
12 paragraph 13, which is on page 8, Your Honor. It  
13 looks a little bit different because this is a C plea.

14 THE COURT: It's very different.

15 MS. ROTELLA: So in paragraph 13 it  
16 talks about if the Court does accept what we've  
17 recommended to him, which was a sentence of time  
18 served and a plea to the charge that you're entering a  
19 plea to, then we agree that we are not going to file  
20 any appeal of the sentence and you agree that you're  
21 voluntarily and expressly waiving all your rights to  
22 appeal or to collaterally attack your conviction, your  
23 sentence, or anything else that would arise under any  
24 other provision of law.

25 So as part of your knowing and

1 voluntary waiver of your rights to appeal and  
2 collaterally attack your conviction and sentence you  
3 agree that you're waiving the right to raise an  
4 appeal, any argument that number 1, the statute to  
5 which you're pleading guilty is unconstitutional, or  
6 number 2, that your conduct, the facts of the case, do  
7 not fall within the scope of the statute.

8 But you're always retaining the right,  
9 no matter what you're doing here today, you still  
10 retain the right to file a claim that an attorney who  
11 represented you during the course -- any part of this  
12 criminal case that they were constitutional  
13 ineffective for you and didn't provide you effective  
14 assistance of counsel. Do you understand that?

15 THE DEFENDANT: Yes.

16 MS. ROTELLA: Okay. So now paragraph  
17 14 talks about if the Court doesn't say that time  
18 served here is appropriate and that he -- that the  
19 Court rejects our recommendation and you still decide  
20 that you're going to end up pleading guilty here and  
21 entering a guilty plea without our objection, then you  
22 agree that you're voluntarily and expressly waiving  
23 all rights to appeal or collaterally attack your  
24 conviction, your sentence, or anything else that  
25 arises under any provides of law.

1                   And as part of your knowing waiver and  
2 voluntary waiver you expressly waive your right to  
3 raise on appeal number 1, the same things, that the  
4 statutes that you're pleading guilty to is  
5 unconstitutional, and that your conduct doesn't fall  
6 within the scope of the charge here.

7                   However, if we end up appealing from  
8 the sentence then of course you can appeal, right?

9                   THE DEFENDANT: Uh-huh.

10                  MS. ROTELLA: In paragraph B if we  
11 don't appeal then you're very much limiting your --  
12 what you're permitted to appeal here. You can only  
13 appeal and claim that your sentence exceeds the  
14 statutory maximum. So right now we've said your  
15 statutory maximum is five years. So if you get a  
16 sentence above that you can appeal.

17                  THE DEFENDANT: Uh-huh.

18                  MS. ROTELLA: If you're challenging a  
19 decision that the judge imposed an upward departure or  
20 an upward variance from what we determined the  
21 sentencing guidelines are here, and of course again  
22 that any attorney that represented you during the  
23 course of this case provided ineffective assistance of  
24 counsel for you.

25                  If you do appeal or seek collateral

1 relief you can't do it other than what we've talked  
2 about here.

3 THE DEFENDANT: Okay.

4 MS. ROTELLA: And that's -- the second  
5 paragraph I read to you is only in the -- if the judge  
6 decides he's not going to impose a time served  
7 sentence here, if he thinks that's not appropriate.

8 THE DEFENDANT: Okay.

9 MS. ROTELLA: Okay?

10 THE DEFENDANT: Thank you.

11 THE COURT: I think that covers the  
12 limitations on your right to appeal and to  
13 collaterally attack. Well you didn't touch the  
14 collateral attack issue and you didn't explain it.  
15 But a collateral attack can occur, an attack on your  
16 conviction, your sentence, or other matters after a  
17 sentence is imposed and after you've appealed if you  
18 believe your attorney has rendered ineffective --  
19 constitutionally ineffective assistance of counsel.  
20 That's the most typical type of collateral attack.  
21 It's called a motion for writ of habeas corpus, and  
22 you -- while there's certain limitations on your right  
23 to do that. Do you understand that?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: All right. I think that

1 covers that. Thank you very much, Ms. Rotella. You  
2 might be back in a few minutes, Ms. Rotella.

3 Do you have any questions about the  
4 limitations on your right to appeal and to  
5 collaterally attack your conviction, your sentence, or  
6 other matters relating to the prosecution?

7 THE DEFENDANT: No, Your Honor.

8 THE COURT: Do you understand that by  
9 pleading guilty and by waiving the rights I have  
10 discussed with you, you cannot later come to any court  
11 and claim that you were not guilty or that your rights  
12 had been violated?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: Do you understand that if  
15 you get a longer sentence than you may expect or if  
16 you find that prison is worse than you thought you'll  
17 still be stuck with your guilty plea? And that's not  
18 so in this case is it? There's an opportunity -- I  
19 must say I've been away since all these papers  
20 arrived, that's because you continued this hearing so  
21 many times I can't recall, each time became less  
22 convenient. This was the least convenient time. I  
23 didn't arrive back in the city until very late last  
24 night and have not had an opportunity to read  
25 everything that I would ordinarily have read.

1                   What does the plea agreement provide  
2 with respect to the right to withdraw the guilty plea  
3 if I do not accept the Government's recommended  
4 sentence?

5                   MS. ROTELLA: So he is permitted to  
6 withdraw his guilty plea --

7                   THE COURT: Fine.

8                   MS. ROTELLA: -- if he so chooses, or  
9 he can still --

10                  THE COURT: All right.

11                  MS. ROTELLA: -- stick with his guilty  
12 plea.

13                  THE COURT: All right. And you'll  
14 cover that in just a moment. I think that moment is  
15 here.

16                  I'm going to have Ms. Rotella explain  
17 the plea agreement just to make certain that you  
18 understand it, your understanding is the same as hers  
19 and the Government's. And what I want you to do,  
20 Ms. Rotella, will come forward, you'll remain at the  
21 lectern. If she says something that you don't  
22 understand or if she says something with which you do  
23 not agree then I will expect you to stop us, just  
24 raise your hand, and we'll explain it to you. We'll  
25 proceed that way.

1                   At the end of her recitation I'm going  
2 to ask whether -- first of all you've understood it,  
3 what she has to say about the plea agreement, number  
4 1; and number 2, whether what she said about the plea  
5 agreement is the same as your understanding of the  
6 plea agreement. Ms. Rotella.

7                   MS. ROTELLA: So in paragraph 1 you're  
8 agreeing that you're going to plead guilty to Count 1  
9 in the superseding information today, the charge that  
10 we're talking about which is importation of obscene  
11 matter into the United States.

12                   In paragraph 2 it talks about that we  
13 reached an agreed upon sentence here that we're going  
14 to recommend to the Court, that he sentence you to  
15 time served, condition to have no contact with the  
16 victim or her family, and that's this provision is  
17 what we're talking about here that the Court just  
18 spoke about. If the Court decides that they're not  
19 going to go -- he's not going go with that  
20 recommendation then either the Defendant or the  
21 Government would have the right to withdraw from the  
22 plea and we can go to trial instead.

23                   Paragraph 3 talks about what we will do  
24 at the time of sentencing, which is that we'll move to  
25 dismiss the charges in the indictment that were filed.

1 We can still make whatever other sentencing  
2 recommendation to the Court that we think is  
3 appropriate, and we can comment on any of the evidence  
4 here or any of the circumstances of the case, and  
5 we're not limited in what we can comment to the Court  
6 at the time of sentencing.

7 Paragraph 4 talks about your statutory  
8 maximums that the Court already went over with you.

9 Paragraph 5 again talks about what  
10 would happen if you violate on supervised release,  
11 that the Court could resentence you to up to two years  
12 in prison.

13 Paragraphs 6, 7, and 8 all talk about  
14 your financial responsibilities under this plea  
15 agreement, as does paragraph 9, that you'll owe \$100  
16 special assessment at the time of your conviction.

17 Paragraph 10 talks about the items that  
18 are going to be forfeited as part of this plea, and  
19 these are all items that had evidence on them and that  
20 you used to commit the crimes here.

21 Paragraph 11 talks about the  
22 stipulations that we've reached as part of this plea  
23 agreement, and these will be used to calculate what  
24 your sentencing guideline range is.

25 So for your offense in paragraph 11(a)

1 we agree that because your importation of material  
2 involved a minor here, Section 2(g)(2.2) has to be  
3 applied in order to calculate what your guidelines  
4 are. And your base offense level is established at a  
5 22.

6 In paragraph 11(c) you agree and  
7 stipulate that your activities were limited to the  
8 receipt of child exploitation material and you didn't  
9 traffic any images, so it reduces your offense level  
10 by two.

11 Paragraph (d) that you agree and  
12 stipulate that it involved a pattern of sexual  
13 exploitation of the minor victim because it happened  
14 over a two-year period and was clearly more than two  
15 times. So you have an offense level elevation by five  
16 points.

17 Paragraph (e) that your crimes involve  
18 the use of a computer or an interactive computer  
19 service, including your cell phone service for  
20 commission of these offenses which increases your  
21 level by two. There were more than 600 images here  
22 and that under federal law videos are counted as --  
23 one video counts as 75 images. So your whole  
24 collection is more than 600. That increases your  
25 level by five.

1 And under paragraphs (g) and (h)  
2 because you did agree to plead guilty and you notified  
3 of that very early on you're entitled to a three point  
4 decrease.

5 Paragraph 12 talks about what would  
6 happen if you commit a crime in between today's date  
7 when you enter your plea and the date of sentencing.  
8 That we could say that it's a breach, we could try to  
9 withdraw from this plea agreement, or we could proceed  
10 forward.

11 Paragraph 13 and 14 are the ones we  
12 just read to you about your waiver of all your rights,  
13 your appellate rights and your collateral rights.

14 Paragraph 15, sometimes when defendants  
15 raise -- waive their rights to appeal or collaterally  
16 attack they file one any way. So in paragraph 15 it  
17 talks about if you do that -- you choose to do that  
18 this is how we could -- this is the ramification, we  
19 could consider it a breach of the plea agreement and  
20 can seek to get out of the agreement and prosecute you  
21 on the original indictment.

22 Paragraph 16, you understand because  
23 you are not a citizen here in the United States that  
24 your guilty plea will result in your being subject to  
25 immigration proceedings and will likely result in your

1 being removed from the United States, denied  
2 citizenship, and admission into the United States in  
3 the future. And that just says that you've discussed  
4 that with your attorneys and that you understand the  
5 consequences of your guilty plea.

6 THE DEFENDANT: Uh-huh.

7 MS. ROTELLA: And it also talks about  
8 how you agree to facilitate that process, to get it  
9 moving so that you can go back to -- leave the United  
10 States.

11 Paragraph 17 talks about your waiver of  
12 rights under the Freedom of Information Act for  
13 getting any documents related to your case.

14 Paragraph 18 talks about how you are  
15 satisfied the services that your attorneys have  
16 rendered to you, that you've discussed the agreement  
17 with them, and you're pleading guilty because you are  
18 guilty here.

19 Paragraph 19 talks about that  
20 everything -- every agreement that we've made is in  
21 this written document here, that we don't have any  
22 side deals or promise to do anything other than what's  
23 in the agreement.

24 THE DEFENDANT: Thank you.

25 THE COURT: Did you understand what

1 Ms. Rotella said about the plea agreement?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: Is what she said about the  
4 plea agreement the same as your understanding of the  
5 plea agreement?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Do you have any questions  
8 about the plea agreement?

9 THE DEFENDANT: No, Your Honor.

10 THE COURT: Fine. You may return to  
11 your seat. Thank you, Ms. Rotella.

12 Do you have any agreements with the  
13 Government other than the plea agreement in this case?

14 THE DEFENDANT: No, Your Honor.

15 THE COURT: Did anyone ask you to  
16 answer my questions today untruthfully?

17 THE DEFENDANT: No, Your Honor.

18 THE COURT: Did you decide to plead  
19 guilty of your own free will?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Did anyone force you into  
22 pleading guilty?

23 THE DEFENDANT: No, Your Honor.

24 THE COURT: Did you decide to sign the  
25 plea agreement of your own free will?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: Did anyone force you into  
3 signing the plea agreement?

4 THE DEFENDANT: No, Your Honor.

5 THE COURT: The plea agreement provides  
6 for an agreed upon sentence, which I may accept or  
7 reject. The agreed upon sentence is time served,  
8 which is roughly 28 and a half months. I'm not going  
9 to decide today whether to accept that recommendation.  
10 Instead I will order -- it's call a presentence  
11 investigation to learn a little bit more about the  
12 case, and I'll decide after I talk to the probation  
13 officer, which will come in just a few minutes,  
14 whether I will order an expedited investigation, which  
15 is an investigation that will be completed in roughly  
16 30 days or the regular -- the normal investigation,  
17 which is completed in a total of about 90 days. I'll  
18 decide a little later in the proceedings which course  
19 I will follow.

20 And in any event when I receive the  
21 presentence report I will then be able to decide  
22 whether to accept the recommendation of the  
23 Government, and that is that I sentence you to a time  
24 served sentence. Do you understand that?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: All right. Do you have any  
2 questions about that?

3 THE DEFENDANT: No, Your Honor.

4 THE COURT: Now, there's some  
5 collateral consequences of this proceeding if I accept  
6 your plea. You stand guilty of a felony conviction,  
7 and as a consequence you're subject to deportation or  
8 removal from the United States. Do you understand  
9 that?

10 THE DEFENDANT: Yes, Your Honor.

11 THE COURT: Has that been explained to  
12 you?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: Do you have any questions  
15 about that?

16 THE DEFENDANT: No, Your Honor.

17 THE COURT: You'll also be deprived of  
18 certain civil rights such as the right to possess a  
19 firearm. Do you understand that?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Any questions about that?

22 THE DEFENDANT: No, Your Honor.

23 THE COURT: Are there any other civil  
24 rights that you believe are applicable in this case,  
25 Ms. Rotella?

1 MS. ROTELLA: No, Your Honor.

2 MS. GAUGHAN: No, Your Honor.

3 THE COURT: All right. All right.

4 Now, I'm going to turn to the essential elements of  
5 the offense charged.

6 The essential elements are what the  
7 Government must prove beyond a reasonable doubt in  
8 order to obtain a conviction. They are three in  
9 nature.

10 To obtain a conviction for importation  
11 of obscene materials in violation of 18 United States  
12 Code Section 1462(a) the Government must prove each of  
13 the following elements beyond a reasonable doubt.

14 Number 1, that you knowingly brought  
15 into the United States; 2, obscene, lewd, lascivious  
16 picture, or other matter of indecent character; or 3,  
17 any obscene, lewd, lascivious article or thing capable  
18 of producing sound.

19 Do you understand that?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Do you have any questions  
22 about that?

23 THE DEFENDANT: No, Your Honor.

24 THE COURT: We've already covered the  
25 guilty plea memorandum and you said you understood it.

1 Have you read the second document filed by the  
2 Government, Government change of plea memorandum?

3 MS. GAUGHAN: Your Honor, I read that  
4 to Mr. Bayoumy this morning, including the factual  
5 basis.

6 THE COURT: And that's what I'm going  
7 to cover now.

8 The last part of this proceeding  
9 requires a presentation of the factual basis for the  
10 plea. The factual basis is actually a summary of the  
11 Government's evidence in this case, and it is set  
12 forth in this document entitled Government change of  
13 plea memorandum. Have you read that yourself?

14 THE DEFENDANT: Yes, Your Honor.

15 THE COURT: You're on your feet,  
16 Ms. Rotella.

17 MS. ROTELLA: No, no. I was going to  
18 give him a copy.

19 MS. GAUGHAN: Your Honor, we've read  
20 through it together. Like I read it to him as he  
21 followed through the actual words on the paragraph.

22 THE COURT: I'm going to ask you two  
23 questions about that, don't answer them yet.

24 The first question is, did you do all  
25 of the things the Government says you did in that part

1 of the plea memorandum entitled factual basis for the  
2 guilty plea?

3 And the second, it's the flip side of  
4 that, is there anything the Government says you did  
5 that you say you did not do?

6 Now, do you want to go back and reread  
7 this part of the change of plea memorandum before you  
8 -- or well it's called change of plea but it isn't,  
9 it's a plea memorandum. Do you want to go back and  
10 reread that or read it or are you prepared to answer  
11 those questions now?

12 THE DEFENDANT: No, I'll answer.

13 THE COURT: You understand you have a  
14 right to go back to your desk?

15 THE DEFENDANT: No, I understand.

16 THE COURT: All right. Did you do all  
17 of the things the Government says you did in the part  
18 of the document entitled change of plea memorandum,  
19 which is subtitled factual basis for the plea? Did  
20 you do all of these things?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: Is there anything the  
23 Government says you did that you say you did not do?

24 THE DEFENDANT: No, Your Honor.

25 THE COURT: All right. I think that

1 establishes a factual basis for the plea. Do you  
2 agree, Ms. Rotella?

3 MS. ROTELLA: Yes, Your Honor.

4 THE COURT: Ms. Gaughan?

5 MS. GAUGHAN: I do. Yes, Your Honor.

6 THE COURT: Ms. Gaughan, are you  
7 satisfied that a change -- that a guilty plea at this  
8 time would be entered knowingly, voluntarily, and  
9 intelligently?

10 MS. GAUGHAN: Yes, Your Honor.

11 THE COURT: Ms. Rotella, are you  
12 satisfied that a guilty plea at this time would be  
13 entered knowingly, voluntarily, and intelligently?

14 MS. ROTELLA: Yes, Your Honor.

15 THE COURT: Before I receive your plea  
16 of guilty do you have any questions for me,  
17 Mr. Bayoumy?

18 THE DEFENDANT: No, Your Honor.

19 THE COURT: Have you understood all of  
20 my questions?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: Have you answered them  
23 truthfully?

24 THE DEFENDANT: Yes, Your Honor.

25 THE COURT: Do you wish to talk to

1 Ms. Gaughan before I receive your plea of guilty?

2 THE DEFENDANT: No, Your Honor.

3 THE COURT: All right. Mr. Cosgrove,  
4 will you receive a Defendant's plea of guilty to Count  
5 1 of the superseding information in this case?

6 THE CLERK: Younies Bayoumy, you are  
7 charged in criminal superseding information No. 17-184  
8 charging you in Count 1 with importation of obscene  
9 matter in violation of Title 18 United States Code  
10 Section 1452(a). Now, how do you plead, guilty or not  
11 guilty?

12 THE DEFENDANT: Guilty.

13 THE CLERK: Thank you.

14 THE COURT: Mr. Bayoumy, it is the  
15 finding of the Court in the case of United States of  
16 America versus Younies Bayoumy, Criminal No. 17-184,  
17 that you are fully competent and capable of entering  
18 an informed plea and that your plea of guilty is a  
19 knowing and voluntary plea supported by an independent  
20 basis in fact containing each of the essential  
21 elements of the offense charged in Count 1 of the  
22 superseding information. Your guilty plea is thereof  
23 accepted and you are now adjudged guilty of the  
24 offense charged in Count 1 of the superseding  
25 information.

1 All right. Will you hand up the  
2 original of the plea agreement, please. And do You --  
3 Ms. Rotella, have you filed the original of the change  
4 of plea memorandum?

5 MS. ROTELLA: No, sir, I do after they  
6 actually enter the plea.

7 THE COURT: Fine.

8 MS. ROTELLA: So I'll do that --

9 THE COURT: Fine.

10 MS. ROTELLA: -- when I go back to my  
11 office.

12 THE COURT: All right. That ends the  
13 plea hearing.

14 Next we have to set a date for  
15 sentencing, and before I do that I'd like to hear from  
16 the probation officer. The Government has requested  
17 an expedited presentence investigation in this case.  
18 What would be included in that investigation, and what  
19 kind of a report would I receive from you at the end  
20 of that 30-day period?

21 PROBATION OFFICER SHEHATA: Your Honor,  
22 it would be a modified report. So the part C offender  
23 character 6 would be a modified version since he will  
24 be removed from the United States.

25 THE COURT: What's a modified version?

1                   PROBATION OFFICER SHEHATA: It's just  
2 shorter, it doesn't have his -- a whole background  
3 history, it just has partial.

4                   MS. GAUGHAN: Your Honor, may I speak  
5 on that, because it's really -- it's a joint request  
6 and it's really I think probably more so the defense  
7 request for an expedited presentence report.

8                   The modified report, which includes the  
9 part C which the probation officer is referring to,  
10 the personal characteristics.

11                   As this Court stated this case has been  
12 continued a number of times -- a significant number of  
13 times due to the complexity of the issues that were  
14 presented in this case.

15                   The Government agreed to meet with the  
16 experts that we retained, which was an individual who  
17 was expert, a psychologist in the evaluation of  
18 individuals on the spectrum and more specifically  
19 diagnosed with what --

20                   THE COURT: You're talking about the  
21 autism spectrum.

22                   MS. GAUGHAN: Yes, the Aspersers --  
23 yes, the autism. So Dr. Sutton did an extensive  
24 evaluation, which included us having to get a very  
25 long and detailed biographical information regarding

1 Mr. Bayoumy from the time that he was an infant,  
2 because that is part of the evaluation in determining  
3 whether or not someone actually is on the spectrum.

4 Mr. Bayoumy's case was a little  
5 different however, Your Honor, because Mr. Bayoumy had  
6 been already diagnosed in the United kingdom with  
7 Aspersers. I provided documents earlier this morning  
8 to probation detailing those diagnoses.

9 So in this case we know far more about  
10 Mr. Bayoumy than I believe with all due respect over  
11 the probation department that any presentence report  
12 would have. I'm going to provide all of that  
13 information.

14 In meeting with the Government and  
15 meeting with both our doctor who performed the  
16 evaluation of Mr. Bayoumy, and of course I'll provide  
17 that to the Court in a sentencing memorandum and along  
18 with Mr. Mahoney who is an attorney who is an expert  
19 that deals with these types of cases with individuals  
20 such as Mr. Bayoumy that have this diagnosis across  
21 the country specifically with regard to sex -- child  
22 sex cases and child pornography.

23 So we have much, much information to  
24 provide to the Court and I certainly will provide all  
25 of that to probation and to the Court as well.

1           So the modified portion of the report  
2 really deals with his history, which we have a very,  
3 very detailed history, including a lot of information  
4 from his mother who we are in constant contact with in  
5 London.

6           So for those reasons, Your Honor, I  
7 believe under the circumstances of this case where the  
8 recommendation and hopefully the Court after  
9 considering all of the issues presented today and at  
10 the time of sentencing will agree that a time served  
11 sentence under these unique set of facts both with  
12 regards to Mr. Bayoumy's diagnosis as well as the  
13 facts of the case would warrant a time served  
14 sentence.

15           So because of those -- for those  
16 reasons I would ask the Court to consider the  
17 expedited presentence report. And I don't do that  
18 lightly and I know courts don't usually order those  
19 expedited except for in very unique circumstances, and  
20 I think that this is one of those.

21           So for those reasons, Your Honor, I  
22 would ask that the Court order the presentence report  
23 be expedited.

24           THE COURT: All right. Now, with an  
25 expedited report when can we expect the report?

1                   PROBATION OFFICER SHEHATA: Thirty days  
2 would be -- I can get it done within 30 days.

3                   THE COURT: And so we -- yes.

4                   MS. GAUGHAN: And I'm sorry, when I  
5 said expedited I was wrong, that's actually -- even  
6 the modified is the 30 days, the expedited is even  
7 sooner. We're not asking for an expedited, we're  
8 asking for a modified that just doesn't include the  
9 personal history sections.

10                  THE COURT: So we'll get the report  
11 roughly in 30 days. We.

12                  PROBATION OFFICER SHEHATA: No, Your  
13 Honor, I'm sorry. Sentencing can be in 30 days. I  
14 can have it complete before then.

15                  THE COURT: I'm sorry, say that again?

16                  PROBATION OFFICER SHEHATA: Sentencing  
17 can be around 30 days, I can have the report completed  
18 before that time.

19                  THE COURT: Well I was going to say, it  
20 goes to the defense and to the Government. What is  
21 the procedure for objections to the modification?

22                  PROBATION OFFICER SHEHATA: For a  
23 modified report there is no objection period, there  
24 will only be one final report.

25                  MS. GAUGHAN: And since it's an

1 negotiated sentence where we really are agreed upon  
2 all of the issues I don't think that that would come  
3 into light in this case, there would be no objections  
4 I don't believe by either side.

5 THE COURT: All right. But if there  
6 are you'll still be permitted to raise them at  
7 sentencing and I'll rule on them at sentencing.

8 MS. GAUGHAN: Thank you.

9 THE COURT: All right. I have no  
10 further questions. But we'll have to decide on a  
11 sentencing date. You'll get the report in 30 days.

12 MS. GAUGHAN: Your Honor, I believe  
13 we'll get a copy of the report within two weeks from  
14 the probation. So we -- I believe the probation  
15 officer said, you know, at 30 days we would be ready  
16 for sentencing, whatever the Court's schedule permits.

17 THE COURT: My schedule is deadly.

18 MS. GAUGHAN: I know.

19 THE COURT: I'm starting a high profile  
20 criminal case. Well we're actually starting pretrial  
21 proceedings on Monday but the trial will start on  
22 November 13th and it will last the whole month, and  
23 I'm not scheduling the -- I'm not squeezing this  
24 sentencing in. It's too complicated a case, and  
25 because of many issues, including the fact that I

1 really had to be away because I was a presenter, and  
2 although the presentation involved civil matters it  
3 involved antitrust issues, I had to be away, and I'm  
4 going to have to play catch up, which I'm doing now.

5 Thirty days from today Michael would  
6 be --

7 THE CLERK: The 2nd of December.

8 THE COURT: -- I guess December 2nd.  
9 That case is estimated to take three weeks and will  
10 end Friday, November 30th, but that doesn't consider  
11 the Thanksgiving holiday, so we're going to -- I'll  
12 try to schedule this some time in early December.

13 (Court confers with clerk)

14 THE COURT: Well I hate to cover the  
15 things on the calendar that we're not certain will go  
16 forward. We can schedule this for December 13th at  
17 12:45. Is that convenient for everybody?

18 MS. ROTELLA: Yes, Your Honor.

19 MS. GAUGHAN: Yes, Your Honor.

20 THE COURT: That's what we'll do.  
21 That's Thursday, December 13th at 12:45.

22 All right. Now, let me explain what  
23 will happen at sentencing, Mr. Bayoumy.

24 First you'll have a right to speak to  
25 me about anything you deem appropriate, it's referred

1 to as your right of allocution.

2 Second you can present evidence,  
3 letters or other writings from people who hopefully  
4 would say good things about you and testimony in court  
5 from such people.

6 Thirdly your attorney will be able to  
7 argue to me as to an appropriate sentence.

8 The Government also has the right to  
9 present evidence and to argue as to an appropriate  
10 sentence, and they will argue that I impose the time  
11 served sentence covered by the plea agreement.

12 And at that time after I have the  
13 presentence report and hear what everyone says I will  
14 know, I will be able to rule on whether to accept the  
15 time served sentence. I don't want you to think that  
16 I will not accept it because I haven't accepted it  
17 today, I just need to know more about you, and I will  
18 -- well I will know, I will be provided with the  
19 information I need before the December 13th sentence  
20 date. So you can expect a ruling from me at that time  
21 on the time served sentence.

22 And if I rule yes you'll be sentenced  
23 with time served. We haven't talked about supervised  
24 release, I'll hear from the Government on that.

25 There's a provision in the sentencing

1 guidelines to the effect that where a defendant is  
2 subject to removal and where there's no requirement, a  
3 mandatory term of supervised release, and there is  
4 none in this case, I can waive supervised release.  
5 I'm not sure what I'll do, but whatever you'll  
6 probably remain in custody pending removal. Is that  
7 your understanding, Ms. Gaughan?

8 MS. GAUGHAN: Yes, Your Honor.

9 THE COURT: In other words if I  
10 sentence you to time served you're not going to be  
11 able to get rid of that jumpsuit and walk out of here  
12 because you're subject to removal, and more on that  
13 later. Do you have any questions about anything I've  
14 said?

15 THE DEFENDANT: No, Your Honor.

16 THE COURT: About the sentencing, the  
17 procedure. Ms. Gaughan, anything?

18 MS. GAUGHAN: No, Your Honor. Just  
19 that obviously once the time if in fact you do --  
20 impose a time served sentence then he would be  
21 transferred to immigration.

22 THE COURT: ICE custody.

23 MS. GAUGHAN: Yeah, to York,  
24 Pennsylvania for deportation and for removal  
25 proceedings.

1 THE COURT: By -- they call it  
2 Immigration and Customs Enforcement, I'm sure you know  
3 it better than I, it's called ICE, whatever that means  
4 to you, I won't put on the record the expression on  
5 your face, that's what will happen. I just want you  
6 to know what will happen, that's why I'm telling you  
7 this.

8 THE DEFENDANT: No, I'm all right with  
9 this, Your Honor.

10 THE COURT: I'm sure you are.

11 Ms. Rotella, anything else?

12 MS. ROTELLA: No, Your Honor. Thank  
13 you.

14 THE COURT: Thank you. With that court  
15 is adjourned, Defendant is remanded to the custody of  
16 the U.S. Marshals.

17 MS. GAUGHAN: Thank you, Your Honor.

18 THE DEFENDANT: Thank you, Your Honor.

19 (Proceedings concluded at 12:33 p.m.)

20 \* \* \* \* \*

21

22

23

24

25

CERTIFICATION

I, Dawn South, certify that the foregoing is  
a correct transcript from the official electronic  
sound recording of the proceedings in the above-  
entitled matter.

Dawn South

DAWN SOUTH, APPROVED TRANSCRIPTIONIST

Dated: November 6, 2018

<b>0</b>	<b>19106-4476</b> 1:12	<b>615</b> 1:11	<b>admission</b> 45:2
<b>00184</b> 1:3	<b>2</b>	<b>7</b>	<b>admissioned</b> 13:16
<b>1</b>	<b>2</b> 1:4 8:13 12:20 36:6 41:4,12 43:2 49:15	<b>7</b> 42:13 <b>75</b> 43:23	<b>adult</b> 5:17,19
<b>1</b> 1:3 12:19 18:2 36:4 37:3 41:4,7,8 49:14 53:5,8,21,24 <b>1-888-777-6690</b> 1:25	<b>2.2</b> 43:2 <b>2016</b> 18:4 19:8,14 19:25	<b>8</b>	<b>advance</b> 3:18
<b>10</b> 42:17	<b>2018</b> 1:4 33:5 64:11	<b>8</b> 35:12 42:13	<b>advice</b> 17:13
<b>100</b> 20:13 42:15	<b>21st</b> 18:4 19:14,23	<b>9</b>	<b>advise</b> 15:19 20:6
<b>11</b> 42:21,25 43:6	<b>22</b> 43:5	<b>9</b> 42:15 <b>90</b> 21:9,11 47:17	<b>affect</b> 15:24 16:2
<b>11:20</b> 1:5	<b>24th</b> 32:10,16 33:5 33:19	<b>a</b>	<b>age</b> 5:14 6:15,16 6:21 7:1
<b>12</b> 8:14 28:10 29:16 32:22 44:5	<b>250,000</b> 20:13	<b>a.m.</b> 1:5	<b>ago</b> 16:22 22:24
<b>1250</b> 1:12	<b>28</b> 47:8	<b>ability</b> 15:24 16:2	<b>agree</b> 21:15 28:11 29:16 35:19,20
<b>12:33</b> 1:5 63:19	<b>29</b> 8:11,14	<b>able</b> 47:21 61:6,14 62:11	36:3,22 40:23 43:1,6,11 44:2 45:8 52:2 57:10
<b>12:45</b> 60:17,21	<b>2:17</b> 1:3	<b>absolutely</b> 16:4	<b>agreed</b> 31:13 41:13 47:6,7 55:15 59:1
<b>13</b> 2:4 35:12,15 44:11	<b>2nd</b> 60:7,8	<b>accept</b> 26:6 35:16 40:3 47:6,9,22 48:5 61:14,16	<b>agreeing</b> 41:8
<b>13th</b> 59:22 60:16 60:21 61:19	<b>3</b>	<b>accepted</b> 53:23 61:16	<b>agreement</b> 11:12 11:13,16 22:10,14 23:5,11 31:18,22 32:11,11,16,19,25 34:13,16,17 35:2,3 40:1,17 41:3,5,6 42:15,23 44:9,19 44:20 45:16,20,23 46:1,4,5,8,13,25 47:3,5 54:2 61:11
<b>14</b> 36:17 44:11	<b>3</b> 2:3 20:12 41:23 49:16	<b>acknowledged</b> 34:1	<b>agreements</b> 46:12
<b>1452</b> 53:10	<b>30</b> 47:16 54:20 58:2,6,11,13,17 59:11,15	<b>acknowledgment</b> 33:8,9,21	<b>agrees</b> 28:21
<b>1462</b> 18:6 20:10 49:12	<b>30th</b> 60:10	<b>act</b> 45:12	<b>ahead</b> 12:18
<b>15</b> 5:14 26:2 44:14 44:16	<b>4</b>	<b>activities</b> 43:7	<b>alcoholic</b> 17:2,5
<b>16</b> 44:22	<b>4</b> 8:13 42:7	<b>actual</b> 32:15 50:21	<b>allegations</b> 5:6
<b>17</b> 5:14 45:11	<b>5</b>	<b>actuality</b> 23:14	<b>allocation</b> 61:1
<b>17-184</b> 3:11 53:7 53:16	<b>5</b> 20:12 22:10 42:9	<b>addiction</b> 16:24	<b>amendment</b> 30:10
<b>18</b> 2:5,6 6:21 7:1 18:5 20:9 45:14 49:11 53:9	<b>53</b> 2:7 <b>540</b> 1:15	<b>addition</b> 20:16 21:13	<b>america</b> 1:3 3:8 53:16
<b>1800</b> 1:24	<b>6</b>	<b>additional</b> 29:24 30:2,3 31:14	<b>ancient</b> 15:17
<b>1801</b> 1:24	<b>6</b> 42:13 54:23 64:11	<b>address</b> 10:23 14:23 26:11	<b>answer</b> 12:18 13:25 16:3 32:18
<b>19</b> 6:9 45:19	<b>60</b> 21:11	<b>adjoined</b> 63:15	
<b>19103</b> 1:24	<b>600</b> 43:21,24	<b>adjudged</b> 53:23	
<b>19106</b> 1:15	<b>601</b> 1:14	<b>administer</b> 9:19	

46:16 50:23 51:10 51:12 <b>answered</b> 52:22 <b>answering</b> 12:20 <b>answers</b> 13:1 <b>anticipate</b> 10:21 <b>antitrust</b> 60:3 <b>anxiety</b> 14:16 15:1 15:5,15 <b>anybody</b> 6:21,23 <b>apologize</b> 4:13 <b>appeal</b> 27:25 31:8 31:14 34:7,10,18 35:4,5,20,22 36:1 36:4,23 37:3,8,11 37:12,13,16,25 38:12 39:4 44:15 <b>appealed</b> 38:17 <b>appealing</b> 37:7 <b>appear</b> 3:20 <b>appearances</b> 1:9 <b>appearing</b> 25:15 <b>appears</b> 8:10 <b>appellate</b> 44:13 <b>applicable</b> 48:24 <b>applied</b> 43:3 <b>appointed</b> 17:8 27:20 <b>appropriate</b> 7:9 8:1,3 9:5 10:9 36:18 38:7 42:3 60:25 61:7,9 <b>approve</b> 28:21 <b>approved</b> 4:25 64:9 <b>approximately</b> 7:24 26:2 <b>argue</b> 61:7,9,10 <b>argument</b> 29:11 36:4	<b>arises</b> 36:25 <b>arraign</b> 10:2,19 <b>arraigned</b> 10:4 <b>arraignment</b> 1:7 2:4 3:15,23 9:13 11:2 13:7 <b>arrest</b> 18:24 26:21 26:22 <b>arrested</b> 7:20 19:16 <b>arrive</b> 39:23 <b>arrived</b> 26:2 39:20 <b>article</b> 49:17 <b>aside</b> 12:9 <b>asking</b> 58:7,8 <b>aspersers</b> 55:22 56:7 <b>assessment</b> 20:14 42:16 <b>assigned</b> 4:24 <b>assistance</b> 29:14 36:14 37:23 38:19 <b>assistant</b> 4:23 <b>associated</b> 30:3 <b>assume</b> 12:19 <b>atlantic</b> 1:23 <b>attack</b> 31:15 34:7 34:19 35:6,22 36:2,23 38:13,14 38:15,15,20 39:5 44:16 <b>attend</b> 13:19 <b>attorney</b> 4:24 17:10 29:9,12 36:10 37:22 38:18 56:18 61:6 <b>attorney's</b> 1:11 <b>attorneys</b> 45:4,15 <b>attributable</b> 8:22 <b>autism</b> 5:4 55:21 55:23	<b>aware</b> 6:6 21:3 <b>b</b> <b>b</b> 37:10 <b>back</b> 6:2 13:18 22:14 29:3 34:23 39:2,23 45:9 51:6 51:9,14 54:10 <b>background</b> 8:5 11:1 18:18 55:2 <b>bad</b> 15:10 <b>base</b> 43:4 <b>basis</b> 5:12 50:5,9 50:10 51:1,19 52:1 53:20 <b>bayoumy</b> 1:5 3:8 4:21 5:6,16,24 6:8 9:23,25 13:8 21:21 22:15 32:12 34:23 50:4 52:17 53:6,14,16 56:1,5 56:10,16,20 60:23 <b>bayoumy's</b> 5:4 6:4 56:4 57:12 <b>began</b> 5:13 <b>beginning</b> 23:10 35:9,11 <b>begins</b> 34:13 <b>believe</b> 7:7,23 8:12 9:5 14:22 21:19 23:8 24:4 38:18 48:24 56:10 57:7 59:4,12,14 <b>better</b> 63:3 <b>beverages</b> 17:2 <b>beyond</b> 11:22 28:15 49:7,13 <b>biographical</b> 55:25 <b>bit</b> 18:17 25:16 31:17 35:13 47:11	<b>born</b> 13:10 <b>bottom</b> 3:18 <b>breach</b> 44:8,19 <b>brief</b> 10:20 <b>brought</b> 5:2 49:14 <b>c</b> <b>c</b> 3:1 35:13 43:6 54:22 55:9 <b>calculate</b> 42:23 43:3 <b>calculation</b> 8:9 <b>calendar</b> 60:15 <b>call</b> 3:7 47:10 63:1 <b>called</b> 10:3 15:8 38:21 51:8 63:3 <b>capable</b> 49:17 53:17 <b>care</b> 14:5 23:19 <b>case</b> 3:7,18 4:1,1 4:18 5:11,14,25 6:15 7:9 8:4 9:6 17:8 23:10,22 27:9,20 28:21 29:22 31:12 32:9 36:6,12 37:23 39:18 42:4 45:13 46:13 47:12 48:24 50:11 53:5,15 54:17 55:11,14 56:4,9 57:7,13 59:3,20,24 60:9 62:4 <b>cases</b> 23:4,9 56:19 56:22 <b>catch</b> 60:4 <b>cause</b> 23:8 24:3 <b>cell</b> 43:19 <b>center</b> 15:5,18 33:6 <b>certain</b> 11:12 29:1 29:4 38:22 40:17
---	--	---	--

<p>48:18 60:15</p> <p><b>certainly</b> 56:24</p> <p><b>certification</b> 64:1</p> <p><b>certify</b> 64:3</p> <p><b>challenge</b> 24:10,11 24:14 26:20,23,24</p> <p><b>challenging</b> 37:18</p> <p><b>chance</b> 13:22</p> <p><b>change</b> 3:12 4:7 5:12 22:13 50:2 50:12 51:7,8,18 52:7 54:3</p> <p><b>changed</b> 15:14</p> <p><b>character</b> 30:19 49:16 54:23</p> <p><b>characteristics</b> 55:10</p> <p><b>charge</b> 3:19 5:8 7:15 10:3,11,11 11:20 23:18,18 27:24 35:18 37:6 41:9</p> <p><b>charged</b> 4:21,23 4:25 12:25 20:9 23:16 24:4 28:14 49:5 53:7,21,24</p> <p><b>charges</b> 6:10 8:21 8:21 10:2,6 17:23 18:7,13 41:25</p> <p><b>charging</b> 53:8</p> <p><b>chestnut</b> 1:11</p> <p><b>child</b> 4:22 5:9 6:11 6:14,18 7:4,8,17 43:8 56:21,22</p> <p><b>children</b> 20:3</p> <p><b>choose</b> 44:17</p> <p><b>chooses</b> 40:8</p> <p><b>circumstances</b> 23:21 42:4 57:7 57:19</p>	<p><b>citizen</b> 44:23</p> <p><b>citizenship</b> 45:2</p> <p><b>city</b> 4:11,12 39:23</p> <p><b>civil</b> 48:18,23 60:2</p> <p><b>claim</b> 20:24 36:10 37:13 39:11</p> <p><b>classes</b> 13:20</p> <p><b>clearly</b> 43:14</p> <p><b>clerk</b> 9:21,24 53:6 53:13 60:7,13</p> <p><b>closing</b> 29:11</p> <p><b>cocaine</b> 16:12</p> <p><b>code</b> 18:5,6 20:10 49:12 53:9</p> <p><b>collateral</b> 37:25 38:14,15,20 44:13 48:5</p> <p><b>collaterally</b> 31:15 34:7,19 35:6,22 36:2,23 38:13 39:5 44:15</p> <p><b>collection</b> 6:20 43:24</p> <p><b>come</b> 6:5 7:6 9:16 19:12 30:17 34:15 39:10 40:20 47:13 59:2</p> <p><b>coming</b> 19:2 21:1</p> <p><b>comment</b> 42:3,5</p> <p><b>commerce</b> 18:3</p> <p><b>commission</b> 43:20</p> <p><b>commit</b> 7:10 20:17 23:16 42:20 44:6</p> <p><b>committed</b> 23:8 23:15 24:4 34:11</p> <p><b>company</b> 1:23</p> <p><b>compel</b> 30:17</p> <p><b>compelling</b> 4:3</p> <p><b>competent</b> 53:17</p> <p><b>complete</b> 58:14</p>	<p><b>completed</b> 11:24 47:15,17 58:17</p> <p><b>complexity</b> 55:13</p> <p><b>complicated</b> 59:24</p> <p><b>components</b> 19:11</p> <p><b>computer</b> 19:10 43:18,18</p> <p><b>concluded</b> 63:19</p> <p><b>conclusion</b> 9:4</p> <p><b>condition</b> 41:15</p> <p><b>conduct</b> 6:12 26:25 36:6 37:5</p> <p><b>confers</b> 60:13</p> <p><b>confront</b> 30:5</p> <p><b>confused</b> 25:16</p> <p><b>connection</b> 10:7 11:1,3</p> <p><b>consequence</b> 48:7</p> <p><b>consequences</b> 8:25 45:5 48:5</p> <p><b>consider</b> 44:19 57:16 60:10</p> <p><b>considered</b> 30:20</p> <p><b>considering</b> 57:9</p> <p><b>constant</b> 57:4</p> <p><b>constitution</b> 30:11</p> <p><b>constitutional</b> 30:14 36:12</p> <p><b>constitutionally</b> 38:19</p> <p><b>consumed</b> 17:1</p> <p><b>contact</b> 5:17 41:15 57:4</p> <p><b>contained</b> 10:5</p> <p><b>containing</b> 53:20</p> <p><b>contains</b> 10:10</p> <p><b>continue</b> 27:21,25</p> <p><b>continued</b> 5:15,17 39:20 55:12</p> <p><b>convenient</b> 39:22 39:22 60:17</p>	<p><b>conversation</b> 5:20 5:21</p> <p><b>conversations</b> 6:23</p> <p><b>convict</b> 6:14</p> <p><b>convicted</b> 27:15 27:23 29:15</p> <p><b>conviction</b> 11:23 31:15 34:8 35:6 35:22 36:2,24 38:16 39:5 42:16 48:6 49:8,10</p> <p><b>copy</b> 4:14 17:15 50:18 59:13</p> <p><b>corpus</b> 38:21</p> <p><b>correct</b> 15:15 22:7 33:25 64:4</p> <p><b>corrected</b> 22:4</p> <p><b>correctly</b> 3:9</p> <p><b>cosgrove</b> 1:16 53:3</p> <p><b>counsel</b> 5:2 8:2 26:3 36:14 37:24 38:19</p> <p><b>count</b> 17:23 27:15 27:16,16 41:8 53:4,8,21,24</p> <p><b>counted</b> 43:22</p> <p><b>country</b> 56:21</p> <p><b>counts</b> 10:5 43:23</p> <p><b>county</b> 7:20</p> <p><b>course</b> 5:1,18 36:11 37:8,21,23 47:18 56:16</p> <p><b>court</b> 1:1,23 3:2,7 3:11 4:9,15 7:6,13 8:6,13,16 9:7,9,11 9:16,19,25 10:15 10:18 12:4,7,13,18 12:23 13:6,10,12 13:14,19,23,25 14:4,7,10,13,17,20</p>
---	--	---	---

15:1,7,11,16,23 16:2,6,11,14,17,20 16:23 17:1,4,7,12 17:15,19,21,23 18:9,12,15,22,24 19:3,7,12,15,18,20 19:23,25 20:3,5,16 20:20 21:3,7,11,20 21:23 22:5,8,11,22 23:24 24:7,22,25 25:5,11,19,22,25 26:3,6,9 27:5,7,11 27:19 28:3,13,19 28:25 29:22 30:17 31:5,7,12,18,21,25 32:2,4,17,21,24 33:4,7,12,14,16,20 33:25 34:6,22 35:9,14,16 36:17 36:19 38:11,25 39:8,10,14 40:7,10 40:13 41:14,17,18 42:2,5,8,11 45:25 46:3,7,10,15,18,21 46:24 47:2,5 48:1 48:4,11,14,17,21 48:23 49:3,21,24 50:6,15,22 51:13 51:16,22,25 52:4,6 52:11,15,19,22,25 53:3,14,15 54:7,9 54:12,25 55:11,20 56:17,24,25 57:8 57:16,22,24 58:3 58:10,15,19 59:5,9 59:17,19 60:8,13 60:14,20 61:4 62:9,16,22 63:1,10 63:14,14 <b>court's</b> 2:7 59:16	<b>courts</b> 57:18 <b>cover</b> 40:14 50:7 60:14 <b>covered</b> 3:20 20:5 49:24 61:11 <b>covers</b> 38:11 39:1 <b>cr</b> 1:3 <b>crafted</b> 7:11 <b>crime</b> 23:8 24:4 44:6 <b>crimes</b> 23:15,16 42:20 43:17 <b>criminal</b> 3:11 7:10 36:12 53:7,16 59:20 <b>cross</b> 30:6 <b>currently</b> 14:4,16 15:4 <b>custody</b> 7:21,23 21:23 22:1,18 62:6,22 63:15 <b>customs</b> 63:2  <b>d</b> <b>d</b> 2:1 3:1 43:11 <b>date</b> 1:4 19:16 32:10 44:6,7 54:14 59:11 61:20 <b>dated</b> 64:11 <b>dawn</b> 64:3,9 <b>day</b> 19:21 21:9 33:19 54:20 <b>days</b> 8:14 21:12 47:16,17 58:1,2,6 58:11,13,17 59:11 59:15 60:5 <b>deadly</b> 59:17 <b>deals</b> 45:22 56:19 57:2 <b>december</b> 60:7,8 60:12,16,21 61:19	<b>decide</b> 27:21 36:19 46:18,24 47:9,12 47:18,21 59:10 <b>decided</b> 23:12 <b>decides</b> 23:7 38:6 41:18 <b>decision</b> 37:19 <b>decisions</b> 11:15 <b>decrease</b> 44:4 <b>deem</b> 60:25 <b>defendant</b> 1:6,13 2:4,6 5:13 9:17,20 10:14,17 12:3,6,12 12:17,22 13:5,9,11 13:13,16,21,24 14:3,6,9,11,15,19 14:22 15:3,8,20,21 16:1,4,10,13,16,19 16:21,25 17:3,6,11 17:14,18,20,22 18:8,11,14,21,23 19:1,5,8,14,17,19 19:21,24 20:2,4,15 20:19 21:14,22 22:21 23:5,23 24:6,20 25:7,10,14 25:21,24 26:1 27:4,6,10,18 28:2 28:12,18,24 29:21 31:4,6,11,24 32:1 32:3,6,20,23 33:11 33:13,15,24 34:5 36:15 37:9,17 38:3,8,10,24 39:7 39:13 41:20 45:6 45:24 46:2,6,9,14 46:17,20,23 47:1,4 47:25 48:3,10,13 48:16,20,22 49:20 49:23 50:14 51:12 51:15,21,24 52:18	52:21,24 53:2,12 62:1,15 63:8,15,18 <b>defendant's</b> 53:4 <b>defendants</b> 8:20 44:14 <b>defender</b> 17:8 <b>defenders</b> 1:14 <b>defense</b> 9:1 30:8 30:16 55:6 58:20 <b>defer</b> 21:4 <b>deficiencies</b> 24:10 24:12 <b>delaware</b> 7:20 <b>denied</b> 45:1 <b>department</b> 56:11 <b>departure</b> 37:19 <b>depict</b> 6:21 <b>depictions</b> 18:2 <b>deportation</b> 48:7 62:24 <b>depression</b> 14:16 15:2,6 <b>deprived</b> 48:17 <b>describe</b> 14:7,12 14:20 <b>described</b> 18:1 <b>desk</b> 51:14 <b>detail</b> 18:10 32:15 <b>detailed</b> 55:25 57:3 <b>detailing</b> 56:8 <b>detention</b> 15:5,18 33:6 <b>determine</b> 3:23 11:14 24:3,8 <b>determined</b> 10:9 37:20 <b>determining</b> 56:2 <b>diagnosed</b> 55:19 56:6
--	--	--	--

<b>diagnoses</b> 56:8 <b>diagnosis</b> 5:4 56:20 57:12 <b>difference</b> 6:16 <b>different</b> 35:13,14 56:5 <b>direction</b> 5:23 <b>discuss</b> 28:4 32:4 <b>discussed</b> 32:14 39:10 45:3,16 <b>discussing</b> 5:5 <b>discussion</b> 2:3 <b>dismiss</b> 41:25 <b>district</b> 1:1,1,8 6:1 18:4 <b>doctor</b> 56:15 <b>document</b> 45:21 50:1,12 51:18 <b>documents</b> 45:13 56:7 <b>doing</b> 11:17,18 36:9 60:4 <b>doubt</b> 11:22 28:15 30:22 49:7,13 <b>dr</b> 55:23 <b>draconian</b> 8:21,22 <b>drugs</b> 16:8,12,12 <b>dubois</b> 1:8 <b>due</b> 55:13 56:10	<b>electronic</b> 64:4 <b>element</b> 28:14 <b>elements</b> 11:20,21 49:4,6,13 53:21 <b>elevation</b> 43:15 <b>employed</b> 18:25 19:2 <b>encompassed</b> 4:7 <b>ended</b> 4:17 <b>ends</b> 54:12 <b>enforcement</b> 63:2 <b>engaged</b> 4:19 5:21 <b>engaging</b> 5:20 <b>england</b> 5:25 13:12 <b>english</b> 14:2 <b>enter</b> 44:7 54:6 <b>entered</b> 52:8,13 <b>entering</b> 35:18 36:21 53:17 <b>entirety</b> 32:12 <b>entitled</b> 33:9 44:3 50:12 51:1,18 64:6 <b>equipment</b> 6:5,17 <b>errors</b> 31:8 34:10 <b>esq</b> 1:10,13 <b>esr</b> 1:16 <b>essential</b> 11:19,21 49:4,6 53:20 <b>established</b> 43:4 <b>establishes</b> 52:1 <b>estimated</b> 60:9 <b>evaluation</b> 55:17 55:24 56:2,16 <b>event</b> 47:20 <b>everybody</b> 60:17 <b>evidence</b> 11:25 23:6 24:2 26:24 30:21 42:3,19 50:11 61:2,9	<b>examine</b> 30:6 <b>exceeds</b> 37:13 <b>excuse</b> 7:14 25:15 <b>expansive</b> 11:2 <b>expect</b> 21:1 39:15 40:23 57:25 61:20 <b>expedited</b> 3:24 4:4 8:4 47:14 54:17 55:7 57:17,19,23 57:25 58:5,6,7 <b>expert</b> 55:17 56:18 <b>experts</b> 5:2 55:16 <b>explain</b> 3:21 9:25 11:5,8,12,19 12:15 18:10 23:3 26:17 29:2,6 30:13 33:22 34:16 35:2 38:14 40:16,24 60:22 <b>explained</b> 8:6,16 18:17 30:25 34:3 48:11 <b>explicit</b> 5:21,22 18:1 <b>exploitation</b> 43:8 43:13 <b>expression</b> 63:4 <b>expressly</b> 35:21 36:22 37:2 <b>extensive</b> 55:23	<b>failure</b> 26:21 <b>fall</b> 36:7 37:5 <b>false</b> 13:3 <b>family</b> 41:16 <b>far</b> 13:14 15:15 56:9 <b>february</b> 19:6,7,9 <b>federa</b> 1:14 <b>federal</b> 7:23 15:5 17:7 33:6 43:22 <b>feel</b> 14:23 <b>feet</b> 22:2 50:15 <b>felony</b> 48:6 <b>fifth</b> 30:10 <b>figure</b> 3:17 <b>file</b> 10:9 35:19 36:10 44:16 <b>filed</b> 41:25 50:1 54:3 <b>filing</b> 5:7 6:10 <b>final</b> 58:24 <b>finally</b> 27:19 <b>financial</b> 42:14 <b>find</b> 39:16 <b>finding</b> 2:7 27:12 53:15 <b>fine</b> 20:13 21:3 24:25 31:21 32:17 40:7 46:10 54:7,9 <b>firearm</b> 48:19 <b>first</b> 4:23 10:1,25 14:10 26:18 28:7 29:7 41:2 50:24 60:24 <b>fits</b> 6:12 7:3 <b>five</b> 21:18 30:19 37:15 43:15,25 <b>fix</b> 19:10 <b>flip</b> 51:3 <b>follow</b> 47:19
<b>e</b> 1:8 2:1 3:1,1 43:17 <b>earlier</b> 17:17 18:17 25:15 56:7 <b>early</b> 44:3 60:12 <b>eastern</b> 1:1 6:1 <b>effect</b> 27:12 62:1 <b>effective</b> 36:13 <b>efficient</b> 14:25 <b>either</b> 41:20 59:4	<b>face</b> 63:5 <b>faced</b> 8:20 <b>facilitate</b> 45:8 <b>fact</b> 6:17,24 30:11 53:20 59:25 62:19 <b>facts</b> 36:6 57:11,13 <b>factual</b> 5:12 50:4,9 50:10 51:1,19 52:1	<b>f</b>	

<b>followed</b> 15:17 34:25 50:21 <b>following</b> 49:13 <b>force</b> 46:21 47:2 <b>forced</b> 11:17 <b>foregoing</b> 64:3 <b>foreign</b> 18:3 <b>forensic</b> 6:17 <b>forfeited</b> 42:18 <b>forget</b> 15:9 <b>form</b> 25:2,9,23 26:7 33:8,9,10,21 34:2 <b>forth</b> 6:2,11 10:12 22:15 50:12 <b>forward</b> 6:13 9:17 34:15 40:20 44:10 60:16 <b>found</b> 6:24 <b>four</b> 30:15 <b>fourth</b> 29:15 <b>free</b> 46:19,25 <b>freedom</b> 45:12 <b>frequently</b> 15:17 <b>friday</b> 60:10 <b>fully</b> 17:9,12 53:17 <b>further</b> 59:10 <b>future</b> 45:3	59:8,12,18 60:19 62:7,8,17,18,23 63:17 <b>getting</b> 45:13 <b>give</b> 9:4 11:6 24:7 24:9,10,11,13,15 25:6 26:12,15,18 26:20,23,24 27:2 28:5,16 29:1,5,18 29:24 30:2,5,7,9 30:15,22 31:2 33:22 34:3 50:18 <b>giving</b> 25:12 34:1 <b>go</b> 6:2,13 12:18 13:14,18 32:15 41:19,19,22 45:9 51:6,9,14 54:10 60:15 <b>goes</b> 58:20 <b>going</b> 8:8 10:1,1 10:18,25 11:5,8,11 11:14 12:19,24 20:6 21:1,11 25:6 26:16 28:3 34:14 34:22 35:19 36:20 38:6 40:16 41:1,8 41:13,19,19 42:18 47:8 49:4 50:6,17 50:22 56:12 58:19 60:4,11 62:10 <b>good</b> 3:2,4,5 61:4 <b>government</b> 1:10 3:17,21 4:11 5:3 7:7 8:19 10:8,8 11:11,21,25 12:1 15:19 21:15 22:12 22:23 23:2,4,5,12 23:25 24:1 26:21 27:8 28:13,17,21 41:21 46:13 47:23 49:7,12 50:2,2,12	50:25 51:4,17,23 54:16 55:15 56:14 58:20 61:8,24 <b>government's</b> 4:6 5:11 8:7 40:3,19 50:11 <b>grand</b> 23:6,7 24:2 24:3,12,14 <b>guess</b> 14:25 60:8 <b>guideline</b> 42:24 <b>guidelines</b> 37:21 43:3 62:1 <b>guilt</b> 28:11 29:17 30:22 <b>guilty</b> 2:5,6 9:13 10:6,21,22 11:3,6 11:7,9,15 12:24 18:14,16 20:8,11 22:9 23:13 26:12 26:16 27:2,8,12,12 27:13,16,21 28:5,6 28:16,23 29:5,19 29:20,25 30:1,3,23 30:25 31:8,13,17 31:22 33:23 34:2 34:4,10 36:5,20,21 37:4 39:9,11,17 40:2,6,11 41:8 44:2,24 45:5,17,18 46:19,22 48:6 49:25 51:2 52:7 52:12,16 53:1,4,10 53:11,12,18,22,23	63:5,6 <b>happened</b> 4:6 23:9 43:13 <b>happening</b> 4:17 <b>happens</b> 23:9 <b>hard</b> 16:8,11,12 <b>hardware</b> 19:10 <b>harsh</b> 23:13 <b>hate</b> 60:14 <b>health</b> 14:8,12,18 14:21 <b>hear</b> 54:15 61:13 61:24 <b>hearing</b> 1:7 3:13 9:14 10:23,23 11:4,7 18:16 21:1 39:20 54:13 <b>held</b> 30:12 <b>help</b> 14:24 <b>helping</b> 19:9,10 <b>heroin</b> 16:12 <b>high</b> 59:19 <b>history</b> 55:3 57:2 57:3 58:9 <b>holiday</b> 60:11 <b>honor</b> 3:4,5,10 4:13,18 8:12 9:3 9:15 10:14,17 12:3,6,12,17,22 13:5 15:22 16:1,5 16:10 17:11,14,18 17:20,22 18:8,11 18:21,23 20:15,19 20:23 21:6,22 22:21 23:23 24:6 24:17,19,20 25:4 25:10,14,17,21,24 26:5 27:4,6,10,18 28:2,12,18,24 29:21 31:4,6,11,19 31:24 32:3,6,9,20
<b>g</b>	<b>g</b> 3:1 43:2 44:1 <b>gaughan</b> 1:13 3:5 3:10 8:11,15 9:3,8 9:10,15,18 12:8 15:11,13 17:7,9 24:17,19,24 25:3 27:19 31:19 32:5 32:8 33:1,2,5,18 34:19,21 49:2 50:3,19 52:4,5,6 52:10 53:1 55:4 55:22 58:4,25	<b>h</b>	
	<b>h</b> 44:1 <b>habeas</b> 38:21 <b>half</b> 47:8 <b>hand</b> 4:14 9:22 26:9 40:24 54:1 <b>happen</b> 34:25 42:10 44:6 60:23		

32:23 33:3,11,13 33:15,18,24 34:5 35:12 38:24 39:7 39:13 46:2,6,9,14 46:17,20,23 47:1,4 47:25 48:3,10,13 48:16,20,22 49:1,2 49:20,23 50:3,14 50:19 51:21,24 52:3,5,10,14,18,21 52:24 53:2 54:21 55:4 56:5 57:6,21 58:13 59:12 60:18 60:19 62:8,15,18 63:9,12,17,18 <b>honorable</b> 1:8 <b>hope</b> 8:19 <b>hopefully</b> 57:8 61:3 <b>huh</b> 8:15 19:19 37:9,17 45:6	<b>incarceration</b> 20:12 <b>inclined</b> 4:3,4 <b>include</b> 58:8 <b>included</b> 54:18 55:24 <b>includes</b> 55:8 <b>including</b> 5:16 23:17 24:12 30:16 43:19 50:4 57:3 59:25 <b>increases</b> 43:20,24 <b>indecent</b> 49:16 <b>independent</b> 53:19 <b>indication</b> 7:2,4 <b>indict</b> 22:23 23:2 23:25 <b>indicted</b> 23:19,20 24:8,9,16,21,24 25:13 <b>indictment</b> 3:20 7:12,22 10:4,13 20:6 22:24 23:13 24:11 25:1,9,18 26:7 41:25 44:21 <b>individual</b> 55:16 <b>individuals</b> 55:18 56:19 <b>ineffective</b> 36:13 37:23 38:18,19 <b>infant</b> 56:1 <b>information</b> 3:14 3:19 4:8 5:8 7:13 7:15 9:4,14 10:3 10:10,16 11:20 13:1 15:21 17:16 18:13 22:13 23:1 23:17 24:5 27:17 27:24 28:15 41:9 45:12 53:5,7,22,25 55:25 56:13,23	57:3 61:19 <b>informed</b> 53:18 <b>initially</b> 7:19 <b>innocence</b> 28:7,9 <b>innocent</b> 28:8 <b>insensitive</b> 8:19 <b>insist</b> 23:19 <b>insists</b> 23:5 <b>instance</b> 6:18 <b>instruction</b> 12:16 <b>instructions</b> 29:13 <b>intelligently</b> 52:9 52:13 <b>intended</b> 23:15 <b>intention</b> 18:22 <b>interactive</b> 43:18 <b>internet</b> 5:24 6:22 <b>interstate</b> 18:3 <b>investigation</b> 3:24 4:4 6:9 27:1 47:11 47:14,15,16 54:17 54:18 <b>involve</b> 5:8 43:17 <b>involved</b> 5:7 6:10 43:2,12 60:2,3 <b>issue</b> 30:17 38:14 <b>issued</b> 7:22 22:25 23:16 <b>issues</b> 10:24 14:23 55:13 57:9 59:2 59:25 60:3 <b>items</b> 42:17,19	<b>june</b> 18:4 19:14,23 <b>jury</b> 23:6,7 24:2,3 24:12,14 27:13 28:10,20,22 29:1,4 29:8,10,13,16,16 29:19,23,23 30:1,3 30:4,12,13 31:1,1
<b>i</b>			<b>k</b>
<b>ice</b> 62:22 63:3 <b>illegal</b> 31:9 <b>images</b> 5:22 6:2,20 6:25 43:9,21,23 <b>immigration</b> 44:25 62:21 63:2 <b>impact</b> 8:24 <b>importation</b> 7:16 41:10 43:1 49:10 53:8 <b>impose</b> 38:6 61:10 62:20 <b>imposed</b> 11:9 20:7 20:11 37:19 38:17 <b>imposition</b> 31:9 34:11 <b>incarcerated</b> 21:16 22:19			<b>kathleen</b> 1:13 <b>kind</b> 54:19 <b>kingdom</b> 56:6 <b>knew</b> 11:17 15:13 <b>know</b> 3:25 4:1,6 12:23 13:1,25 15:11 22:12 56:9 57:18 59:15,18 61:14,17,18 63:2,6 <b>knowing</b> 11:16 35:25 37:1 53:19 <b>knowingly</b> 17:24 49:14 52:8,13
			<b>l</b>
			<b>labeling</b> 7:8 <b>lack</b> 6:15 <b>laid</b> 5:11 <b>lascivious</b> 17:25 18:1 49:15,17 <b>late</b> 3:16 39:23 <b>law</b> 20:25 35:24 36:25 43:22 <b>learn</b> 47:11 <b>leave</b> 45:9 <b>lectern</b> 40:21 <b>led</b> 6:9 <b>legally</b> 6:13 <b>lesser</b> 23:17 <b>letters</b> 61:3 <b>level</b> 43:4,9,15,21 43:25
		<b>j</b>	
		<b>jan</b> 1:8 <b>jd</b> 1:3 <b>joint</b> 55:5 <b>judge</b> 1:8 15:13 29:23 37:19 38:5 <b>judges</b> 4:12 <b>jumpsuit</b> 62:11	

<b>lewd</b> 17:25 49:15 49:17	<b>material</b> 6:22 7:16 43:1,8	<b>modified</b> 54:22,23 54:25 55:8 57:1 58:6,8,23	49:14 55:12,12
<b>light</b> 59:3	<b>materials</b> 49:11	<b>moment</b> 40:14,14	<b>o</b>
<b>lightly</b> 57:18	<b>matter</b> 17:25 18:2 35:7 36:9 41:11 49:16 53:9 64:6	<b>monday</b> 59:21	<b>o</b> 3:1
<b>limitations</b> 31:14 34:17,18 35:4,5 38:12,22 39:4	<b>matters</b> 27:22 31:16 34:8 38:16 39:6 60:2	<b>month</b> 59:22	<b>oath</b> 9:19
<b>limited</b> 31:8 34:10 42:5 43:7	<b>maximum</b> 11:8 20:7,10 37:14,15	<b>months</b> 8:11,13,14 47:8	<b>objection</b> 36:21 58:23
<b>limiting</b> 37:11	<b>maxim</b> 42:8	<b>morning</b> 3:2,4,5 3:13 50:4 56:7	<b>objections</b> 58:21 59:3
<b>line</b> 3:19 32:25	<b>means</b> 22:16 24:1 63:3	<b>mother</b> 57:4	<b>obscene</b> 7:16 17:25 41:10 49:11 49:15,17 53:8
<b>little</b> 8:10 11:2 25:16 35:13 47:11 47:18 56:4	<b>medication</b> 14:14 15:4	<b>motion</b> 38:21	<b>obtain</b> 11:22 26:22 49:8,10
<b>local</b> 19:9	<b>medications</b> 15:12 15:19,23	<b>move</b> 41:24	<b>obtaining</b> 26:23
<b>located</b> 5:24,25	<b>meet</b> 55:15	<b>moving</b> 45:9	<b>obviously</b> 62:19
<b>london</b> 13:11,11 13:12 57:5	<b>meeting</b> 4:11,12 56:14,15	<b>n</b>	<b>occur</b> 38:15
<b>long</b> 21:17 55:25	<b>members</b> 28:10 29:16	<b>n</b> 2:1 3:1	<b>october</b> 32:10,16 33:5,19
<b>longer</b> 39:15	<b>memorandum</b> 4:7 5:12 22:13 49:25 50:2,13 51:1,7,9 51:18 54:4 56:17	<b>name</b> 15:9	<b>offender</b> 5:9 7:5,8 7:18 8:21,23 54:22
<b>look</b> 31:21	<b>mental</b> 14:9,18,21	<b>names</b> 15:10	<b>offense</b> 12:25 20:18 28:14 42:25 43:4,9,15 49:5 53:21,24
<b>looks</b> 35:13	<b>mentioned</b> 15:1	<b>national</b> 1:23	<b>offenses</b> 4:22 6:18 7:10,20,24 43:20
<b>lot</b> 22:14 57:3	<b>method</b> 26:23,25	<b>nature</b> 6:23 7:4 49:9	<b>offer</b> 8:1
<b>m</b>	<b>michael</b> 1:16 25:6 60:5	<b>nearly</b> 10:11	<b>office</b> 1:11,14 4:19 4:24 7:7,25 8:3 54:11
<b>m</b> 1:13	<b>memorandum</b> 4:7 5:12 22:13 49:25 50:2,13 51:1,7,9 51:18 54:4 56:17	<b>need</b> 18:9 61:17,19	<b>officer</b> 47:13 54:16,21 55:1,9 58:1,12,16,22 59:15
<b>mahoney</b> 56:18	<b>ment</b> 15:1	<b>needs</b> 8:20	<b>official</b> 64:4
<b>making</b> 13:3 20:24	<b>mentioned</b> 15:1	<b>negotiated</b> 59:1	<b>oh</b> 4:16 16:13 19:8 19:21
<b>manage</b> 13:18	<b>method</b> 26:23,25	<b>negotiations</b> 5:1 10:8 23:12	<b>okay</b> 4:16 16:6 34:21 36:16 38:3 38:8,9
<b>mandatory</b> 21:2 62:3	<b>mid</b> 1:23	<b>never</b> 4:9,10	
<b>manner</b> 26:21	<b>minor</b> 5:19 6:8,24 18:2 43:2,13	<b>new</b> 10:2	
<b>manufacture</b> 5:22	<b>minutes</b> 26:2 39:2 47:13	<b>night</b> 39:24	
<b>manufacturing</b> 6:11,14	<b>misconduct</b> 24:13	<b>nine</b> 10:5	
<b>marijuana</b> 16:14 16:18,24	<b>modification</b> 58:21	<b>non</b> 30:4 31:1	
<b>market</b> 1:24		<b>normal</b> 47:16	
<b>married</b> 20:1		<b>note</b> 20:20	
<b>marry</b> 18:19		<b>notice</b> 3:18 20:25	
<b>marshals</b> 15:18 63:16		<b>notified</b> 44:2	
		<b>november</b> 1:4 59:22 60:10 64:11	
		<b>number</b> 4:22 12:19,20 18:2 36:4,6 37:3 41:3,4	

<b>old</b> 13:8 <b>once</b> 14:23 62:19 <b>ones</b> 44:11 <b>opening</b> 29:10 <b>operator</b> 1:16 <b>opportunity</b> 29:10 39:18,24 <b>opposite</b> 6:25 <b>order</b> 11:22 43:3 47:10,14 49:8 57:18,22 <b>ordered</b> 20:17,18 20:21 <b>ordinarily</b> 31:7 34:9 39:25 <b>original</b> 6:10 7:21 10:4,12 22:24 23:12 31:18,20,22 44:21 54:2,3 <b>originally</b> 4:21 15:14 <b>owe</b> 42:15	<b>parents</b> 6:7,7 <b>part</b> 8:22 11:6 35:25 36:11 37:1 42:18,22 50:8,25 51:7,17 54:22 55:9 56:2 <b>partial</b> 55:3 <b>participate</b> 29:7 <b>particular</b> 5:11 6:15,19 7:15 <b>parties</b> 9:12 <b>parts</b> 19:10 <b>pattern</b> 43:12 <b>pause</b> 3:6 24:18 <b>penalty</b> 11:9 20:7 20:11 <b>pending</b> 62:6 <b>pennsylvania</b> 1:1 6:1 62:24 <b>people</b> 6:25 61:3,5 <b>performed</b> 56:15 <b>period</b> 5:18 21:7 21:25 43:14 54:20 58:23 <b>perjury</b> 13:3 <b>permission</b> 12:9 <b>permit</b> 21:4 <b>permits</b> 59:16 <b>permitted</b> 37:12 40:5 59:6 <b>person</b> 14:25 <b>personal</b> 55:10 58:9 <b>philadelphia</b> 1:4 1:12,15,24 <b>phone</b> 43:19 <b>photographs</b> 17:25 <b>physical</b> 14:9,10 14:11	<b>physician</b> 14:5 <b>picture</b> 49:16 <b>placed</b> 21:14,24 <b>play</b> 60:4 <b>plea</b> 1:7 2:5,6 3:12 4:7 5:12 8:1 9:13 10:7,22,23 11:3,7 11:10,12,13,16 18:16 20:8,12 22:10,13,14 23:5 23:11,12 28:6 29:20 30:1,25 31:8,13,17,22 32:11,15,18,24 34:10,13,16,17 35:1,3,13,18,19 36:21 39:17 40:1 40:2,6,12,17 41:3 41:4,6,22 42:14,18 42:22 44:7,9,19,24 45:5 46:1,4,5,8,13 46:25 47:3,5 48:6 49:25 50:2,10,13 51:1,2,7,8,9,18,19 52:1,7,12,15 53:1 53:4,18,18,19,22 54:2,4,6,13 61:11 <b>plead</b> 10:20,22 11:6,15 12:24 18:12 26:12,16 27:2,8,13,21 28:5 28:16,23 29:5,19 29:25 30:3,23 33:22 34:1,3 41:8 44:2 46:18 53:10 <b>pleading</b> 27:12 36:5,20 37:4 39:9 45:17 46:22 <b>please</b> 3:3 9:17,19 9:21 26:10 33:7 54:2	<b>pled</b> 10:6 27:15 <b>point</b> 44:3 <b>points</b> 43:16 <b>pornography</b> 6:11 6:14 56:22 <b>portion</b> 57:1 <b>position</b> 8:7,8 27:14 <b>possess</b> 48:18 <b>possessed</b> 6:25 <b>pre</b> 27:1 <b>prefer</b> 28:20 <b>prepare</b> 3:23 <b>prepared</b> 51:10 <b>prescribed</b> 15:20 <b>present</b> 23:6 24:2 30:15,19 61:2,9 <b>presentation</b> 50:9 60:2 <b>presented</b> 5:3 55:14 57:9 <b>presentence</b> 3:24 47:10,21 54:17 55:7 56:11 57:17 57:22 61:13 <b>presenter</b> 60:1 <b>presumed</b> 28:8 <b>presumption</b> 28:7 28:9 <b>pretrial</b> 26:14,18 27:22 59:20 <b>prior</b> 19:2 <b>prison</b> 39:16 42:12 <b>privately</b> 12:10,10 <b>probable</b> 23:7 24:3 <b>probably</b> 23:3 55:6 62:6 <b>probation</b> 8:3 47:12 54:16,21 55:1,9 56:8,11,25
<b>p</b>			
<b>p</b> 3:1 <b>p.m.</b> 1:5 63:19 <b>pa</b> 1:4,12,15,24 <b>page</b> 2:2 32:21,22 33:8,10 34:14 35:12 <b>papers</b> 39:19 <b>paragraph</b> 22:10 35:10,12,15 36:16 37:10 38:5 41:7 41:12,23 42:7,9,15 42:17,21,25 43:6 43:11,17 44:5,11 44:14,16,22 45:11 45:14,19 50:21 <b>paragraphs</b> 42:13 44:1			

<p>58:1,12,16,22 59:14,14 <b>procedure</b> 12:2 34:25 58:21 62:17 <b>proceed</b> 3:14,22 9:12 10:22 13:6 18:16 28:25 29:4 40:25 44:9 <b>proceeding</b> 10:20 31:9 34:11 35:7 48:5 50:8 <b>proceedings</b> 12:8 24:12 44:25 47:18 59:21 62:25 63:19 64:5 <b>process</b> 45:8 <b>producing</b> 49:18 <b>profile</b> 59:19 <b>promise</b> 45:22 <b>pronouncing</b> 3:9 <b>property</b> 20:17 <b>prosecute</b> 44:20 <b>prosecuted</b> 13:3 <b>prosecution</b> 31:16 34:9 39:6 <b>prosecutor</b> 24:13 <b>protracted</b> 9:5 <b>prove</b> 11:22 27:8 28:14 49:7,12 <b>provide</b> 36:13 40:1 56:12,16,24 56:24 <b>provided</b> 37:23 56:7 61:18 <b>provides</b> 36:25 47:5 <b>provision</b> 18:5 35:24 41:16 61:25 <b>provisions</b> 21:4 31:13 34:15,16 35:1,3</p>	<p><b>prs</b> 9:5 <b>psr</b> 8:4 <b>psychologist</b> 55:17 <b>psychotropic</b> 15:19 <b>put</b> 27:13 63:4 <b>putting</b> 22:12</p> <p><b>q</b></p> <p><b>qualifications</b> 2:4 2:6 <b>quarrel</b> 8:9 <b>question</b> 11:14 12:19,21 14:1 25:7 50:24 <b>questioning</b> 11:3 <b>questions</b> 11:1 12:4,14,25 13:2,4 15:25 16:3 18:18 25:20 27:5 31:5 32:18 39:3 46:7 46:16 48:2,14,21 49:21 50:23 51:11 52:16,20 59:10 62:13 <b>quite</b> 8:17 22:24</p> <p><b>r</b></p> <p><b>r</b> 3:1 <b>raise</b> 9:21 30:21 36:3 37:3 40:24 44:15 59:6 <b>ramification</b> 44:18 <b>range</b> 42:24 <b>reached</b> 41:13 42:22 <b>read</b> 10:15 14:1 17:19 31:22,25 33:9 34:15 38:5 39:24,25 44:12 50:1,3,13,19,20 51:10</p>	<p><b>ready</b> 9:12 59:15 <b>reality</b> 8:22 <b>really</b> 8:24 55:5,6 57:2 59:1 60:1 <b>reason</b> 3:16 4:3 5:10 7:5 <b>reasonable</b> 11:22 28:15 30:21 49:7 49:13 <b>reasons</b> 57:6,16,21 <b>recall</b> 39:21 <b>receipt</b> 43:8 <b>receive</b> 47:20 52:15 53:1,4 54:19 <b>received</b> 3:13 17:15 <b>recitation</b> 41:1 <b>recommend</b> 41:14 <b>recommendation</b> 36:19 41:20 42:2 47:9,22 57:8 <b>recommended</b> 35:17 40:3 <b>record</b> 12:10 14:1 32:8 63:4 <b>recording</b> 64:5 <b>reduces</b> 43:9 <b>referred</b> 17:16 60:25 <b>referring</b> 55:9 <b>regard</b> 56:21 <b>regarding</b> 5:3 55:25 <b>regards</b> 57:12 <b>region</b> 1:23 <b>register</b> 5:9 7:8,17 8:23 <b>regular</b> 47:16 <b>reject</b> 47:7</p>	<p><b>rejects</b> 36:19 <b>relate</b> 35:3 <b>related</b> 45:13 <b>relating</b> 31:16 34:8,17 35:7 39:6 <b>relationship</b> 5:13 5:15 <b>release</b> 20:13 21:14,16,25,25 22:17,19 42:10 61:24 62:3,4 <b>released</b> 22:18 <b>relief</b> 38:1 <b>remain</b> 28:9 34:22 40:20 62:6 <b>remanded</b> 63:15 <b>remember</b> 19:15 <b>removal</b> 48:8 62:2 62:6,12,24 <b>removed</b> 45:1 54:24 <b>rendered</b> 38:18 45:16 <b>report</b> 47:21 54:19 54:22 55:7,8 56:11 57:1,17,22 57:25,25 58:10,17 58:23,24 59:11,13 61:13 <b>reporting</b> 1:23 <b>represent</b> 17:8 27:20,22,23,25 <b>represented</b> 36:11 37:22 <b>request</b> 5:22 55:5 55:7 <b>requested</b> 54:16 <b>requesting</b> 5:19 <b>require</b> 4:4 7:17 23:1,25 24:1 28:17</p>
---	---	---	---

<b>required</b> 20:25 22:23 28:13 <b>requirement</b> 8:23 15:17 62:2 <b>requires</b> 50:9 <b>requiring</b> 7:7 <b>reread</b> 51:6,10 <b>resentence</b> 42:11 <b>resolution</b> 4:20 5:7 <b>respect</b> 30:24 35:1 40:2 56:10 <b>responsibilities</b> 42:14 <b>restitution</b> 20:16 20:21,22 21:2,4,5 <b>result</b> 11:9 20:7,11 44:24,25 <b>retain</b> 36:10 <b>retained</b> 55:16 <b>retaining</b> 36:8 <b>return</b> 46:10 <b>reveal</b> 6:18 <b>review</b> 6:17 <b>reviewed</b> 32:11 <b>rid</b> 62:11 <b>right</b> 3:25 8:17 9:1 9:7,16,21 10:18 13:6,17 14:24 15:4 18:15 20:5 21:12,20 22:22 23:1,20,25 24:1,8 24:9,10,11,14,15 25:12 26:3,6,11,20 26:23,24 27:7 28:3,17,20 29:7,12 30:5,7,9,14,15,16 30:22 31:7,14 33:7,20 34:6,7,18 34:18 35:4,4,5 36:3,8,10 37:2,8	37:14 38:12,22,25 39:4 40:2,10,13 41:21 48:1,18 49:3,3 51:14,16,25 53:3 54:1,12 57:24 59:5,9 60:22,24 61:1,8 63:8 <b>rights</b> 11:5 26:12 26:13,14,14,15,16 26:18 27:1 28:4 29:1,4,6,18,24 30:2,3,25 31:2 33:8,10,21,22 34:1 34:2 35:21 36:1 36:23 39:9,11 44:12,13,13,15 45:12 48:18,24 <b>rotella</b> 1:10 3:4 4:5,13,16 7:14 9:11 15:16,22 20:20,23 21:6,9,13 21:18 22:3,6,9 26:5,8 34:15,24 35:2,8,11,15 36:16 37:10,18 38:4,9 39:1,2 40:5,8,11 40:16,20 41:6,7 45:7 46:1,11 48:25 49:1 50:16 50:17 52:2,3,11,14 54:3,5,8,10 60:18 63:11,12 <b>roughly</b> 47:8,15 58:11 <b>rule</b> 59:7 61:14,22 <b>ruling</b> 21:5 61:20	<b>saying</b> 15:3 <b>says</b> 12:1 40:21,22 45:3 50:25 51:4 51:17,23 61:13 <b>schedule</b> 59:16,17 60:12,16 <b>scheduled</b> 3:12 <b>scheduling</b> 59:23 <b>school</b> 13:15 <b>scope</b> 36:7 37:6 <b>search</b> 26:22,25 <b>searches</b> 6:22 <b>seat</b> 46:11 <b>seated</b> 3:3 <b>second</b> 29:9 38:4 50:1 51:3 61:2 <b>section</b> 18:6 20:10 43:2 49:12 53:10 <b>sections</b> 58:9 <b>see</b> 25:5 <b>seek</b> 12:24 14:24 21:2 29:13 37:25 44:20 <b>seized</b> 6:4 <b>selection</b> 29:8 <b>sending</b> 6:2 <b>sensitive</b> 8:8 <b>sent</b> 4:6 5:24 <b>sentence</b> 4:2 21:18 31:10,15 34:8,12 35:6,17,20,23 36:2 36:24 37:8,13,16 38:7,16,17 39:5,15 40:4 41:13,14 47:6,7,23,24 57:11 57:14 59:1 61:7 61:10,11,15,19,21 62:10,20 <b>sentenced</b> 61:22 <b>sentencing</b> 20:25 37:21 41:24 42:1	42:6,24 44:7 54:15 56:17 57:10 58:13,16 59:7,7,11 59:16,24 60:23 61:25 62:16 <b>serious</b> 4:22 10:5 10:10,11 23:18 <b>sertraline</b> 15:9 <b>served</b> 8:1,9 35:18 36:18 38:6 41:15 47:7,24 57:10,13 61:11,15,21,23 62:10,20 <b>service</b> 43:19,19 <b>services</b> 45:15 <b>set</b> 4:2 10:12 50:11 54:14 57:11 <b>severe</b> 22:25 <b>sex</b> 4:22 5:9 7:5,8 7:17 8:21,23 56:21,22 <b>sexual</b> 6:18 43:12 <b>sexually</b> 5:21,22 18:1 <b>shehata</b> 54:21 55:1 58:1,12,16,22 <b>short</b> 21:7 <b>shorter</b> 55:2 <b>show</b> 25:5 <b>side</b> 45:22 51:3 59:4 <b>sign</b> 11:15 25:25 33:16 46:24 <b>signature</b> 25:8,22 32:13,21,22,25 33:14 <b>signed</b> 25:12 26:1 26:4 32:11,12,24 33:1,3 <b>significant</b> 55:12
---	--	---	--

<b>signing</b> 47:3 <b>silly</b> 23:21 <b>simply</b> 12:9 <b>single</b> 10:2 27:16 <b>sir</b> 54:5 <b>sitting</b> 28:22 29:23 <b>situation</b> 8:18 <b>small</b> 8:22 <b>sooner</b> 58:7 <b>sorry</b> 4:5 22:3 24:22 58:4,13,15 <b>sound</b> 49:18 64:5 <b>sounds</b> 8:7 23:21 <b>south</b> 64:3,9 <b>speak</b> 12:9 29:10 55:4 60:24 <b>special</b> 4:23 20:13 42:16 <b>specific</b> 5:6 <b>specifically</b> 55:18 56:21 <b>spectrum</b> 5:5 55:18,21 56:3 <b>spent</b> 7:19,21 <b>spoke</b> 41:18 <b>spoken</b> 8:2 <b>squeezing</b> 59:23 <b>stage</b> 4:2 <b>stand</b> 22:3 26:13 28:8,19 48:6 <b>start</b> 59:21 <b>starting</b> 59:19,20 <b>state</b> 7:21 20:21 <b>stated</b> 55:11 <b>statement</b> 13:4 29:11 <b>states</b> 1:1,3,8 3:8 4:23 6:5 7:16 15:18 17:24 18:5 18:6,20 19:13,22 20:10 41:11 44:23	45:1,2,10 48:8 49:11,15 53:9,15 54:24 <b>statute</b> 6:13 36:4,7 <b>statutes</b> 37:4 <b>statutory</b> 37:14,15 42:7 <b>step</b> 12:9 <b>stick</b> 40:11 <b>stipulate</b> 43:7,12 <b>stipulations</b> 42:22 <b>stop</b> 40:23 <b>stopped</b> 19:5 22:12 <b>store</b> 19:10 <b>street</b> 1:11,14,24 <b>stuck</b> 39:17 <b>stuff</b> 19:11 <b>subject</b> 44:24 48:7 62:2,12 <b>subpoenas</b> 30:17 <b>substantial</b> 10:12 <b>subtitled</b> 51:19 <b>suffice</b> 16:7 <b>suite</b> 1:12,15,24 <b>summarize</b> 11:25 <b>summary</b> 50:10 <b>superseding</b> 3:14 3:19 4:8 5:7 7:11 7:13,14 9:14 10:3 10:10,16 11:20 12:25 17:16 18:13 22:25 23:17 24:5 27:17,24 28:15 41:9 53:5,7,22,24 <b>supervised</b> 20:12 21:14,16,24,25 22:17,19 42:10 61:23 62:3,4 <b>supervision</b> 22:1 22:17	<b>supported</b> 53:19 <b>sure</b> 9:10,18 62:5 63:2,10 <b>sutton</b> 55:23 <b>sworn</b> 9:23 <b>t</b> <b>take</b> 31:21 60:9 <b>talk</b> 9:9 12:7 31:17 42:13 47:12 52:25 <b>talked</b> 38:1 61:23 <b>talking</b> 14:17 34:6 41:10,17 55:20 <b>talks</b> 35:16 36:17 41:12,23 42:7,9,17 42:21 44:5,17 45:7,11,14,19 <b>technically</b> 6:12 7:3 23:14 <b>tell</b> 23:20 <b>telling</b> 23:24 63:6 <b>ten</b> 10:5 <b>term</b> 62:3 <b>terms</b> 5:5 6:2,20 21:16 22:18 <b>testify</b> 30:7,12,18 <b>testimony</b> 30:20 61:4 <b>thank</b> 9:11,24 24:19 26:8 38:10 39:1 45:24 46:11 53:13 59:8 63:12 63:14,17,18 <b>thanksgiving</b> 60:11 <b>thereof</b> 53:22 <b>thing</b> 49:17 <b>things</b> 12:1 37:3 50:25 51:17,20 60:15 61:4 <b>think</b> 14:11 15:2 15:14 21:8,9	34:14 38:11,25 40:14 42:2 51:25 55:6 57:20 59:2 61:15 <b>thinks</b> 38:7 <b>third</b> 29:12 <b>thirdly</b> 61:6 <b>thirty</b> 58:1 60:5 <b>thought</b> 7:25 8:3 15:15 25:1 39:16 <b>three</b> 16:21 30:9 33:10 44:3 49:8 60:9 <b>thursday</b> 60:21 <b>time</b> 4:18 5:18 6:8 7:6,21 8:1,9 12:8 18:24 21:8,25 22:24 28:10 35:17 36:17 38:6 39:21 39:22 41:15,24 42:6,16 47:7,23 52:8,12 56:1 57:10,10,13 58:18 60:12 61:10,12,15 61:20,21,23 62:10 62:19,20 <b>times</b> 39:21 43:15 55:12,13 <b>title</b> 53:9 <b>today</b> 3:13 10:1 21:24 31:25 34:3 36:9 41:9 46:16 47:9 57:9 60:5 61:17 <b>today's</b> 44:6 <b>told</b> 6:6 17:4 34:9 <b>toplin</b> 32:9,10,13 32:16,17 33:1,2,16 <b>total</b> 47:17 <b>touch</b> 38:13
---	--	--	---

<b>traffic</b> 43:9 <b>transcript</b> 64:4 <b>transcriptionist</b> 64:9 <b>transferred</b> 62:21 <b>transported</b> 18:3 <b>transporting</b> 17:24 <b>traveled</b> 6:5 <b>treatment</b> 14:24 16:24 <b>trial</b> 26:15,15 27:1 27:13,14,23 28:4,6 28:20 29:1,4,19 31:1,1 41:22 59:21 <b>trials</b> 28:23 30:1,4 <b>tried</b> 28:21 29:22 <b>troubling</b> 6:16 <b>true</b> 7:4 <b>truthful</b> 12:20 <b>truthfully</b> 52:23 <b>try</b> 44:8 60:12 <b>trying</b> 3:17 <b>turn</b> 32:21 33:7 49:4 <b>turned</b> 6:9 <b>twenty</b> 13:9 <b>two</b> 5:15 7:24 8:10 22:6,20 30:7 42:11 43:10,14,14 43:21 50:22 59:13 <b>type</b> 4:19 5:20 38:20 <b>types</b> 56:19 <b>typical</b> 38:20	<b>unconstitutional</b> 36:5 37:5 <b>understand</b> 10:13 11:13 12:2,11,13 12:15,21,21 14:2 15:25 17:21 18:6 20:14,18 21:21 22:20 23:2,22 24:5 25:11,15,17 27:2,9,11,17 28:1 28:11,16,22 29:20 31:2,10 32:2 33:12,21 36:14 38:23 39:8,14 40:18,22 44:22 45:4,25 47:24 48:8,19 49:19 51:13,15 <b>understanding</b> 40:18 41:5 46:4 62:7 <b>understood</b> 41:2 49:25 52:19 <b>unique</b> 57:11,19 <b>united</b> 1:1,3,8 3:7 4:23 6:5 7:16 17:24 18:5,5,19 19:13,22 20:10 41:11 44:23 45:1 45:2,9 48:8 49:11 49:15 53:9,15 54:24 56:6 <b>university</b> 13:17 13:20 <b>unlawful</b> 34:12 <b>untruthfully</b> 46:16 <b>upward</b> 37:19,20 <b>use</b> 43:18 <b>usually</b> 22:11,14 57:18	<b>v</b> <b>vaguely</b> 19:17 <b>variance</b> 37:20 <b>veritext</b> 1:23 <b>version</b> 54:23,25 <b>versus</b> 3:8 53:16 <b>victim</b> 5:13,25 6:19 20:22 41:16 43:13 <b>video</b> 43:23 <b>videos</b> 6:21 43:22 <b>violate</b> 22:18 42:10 <b>violated</b> 39:12 <b>violates</b> 21:15 <b>violating</b> 20:9 <b>violation</b> 18:4 49:11 53:9 <b>violations</b> 23:14 <b>visit</b> 6:6,6 18:20 <b>visual</b> 18:2 <b>voluntarily</b> 35:21 36:22 52:8,13 <b>voluntary</b> 11:16 36:1 37:2 53:19 <b>vs</b> 1:4	<b>warrant</b> 26:22,22 57:13 <b>way</b> 40:25 44:16 <b>we've</b> 7:11 20:5 35:16 37:14 38:1 42:22 45:20 49:24 50:19 <b>week</b> 4:8,10,11 16:9,15 17:2 <b>weeks</b> 59:13 60:9 <b>went</b> 27:14 32:10 42:8 <b>west</b> 13:11 <b>wish</b> 9:1 10:20,21 12:7 18:12 24:15 24:21,24 52:25 <b>withdraw</b> 40:2,6 41:21 44:9 <b>witness</b> 9:23 30:10 <b>witnesses</b> 30:6,16 30:17,20 <b>woman</b> 18:19 <b>wording</b> 25:16 <b>words</b> 50:21 62:9 <b>working</b> 19:6 <b>worse</b> 39:16 <b>writ</b> 38:21 <b>write</b> 14:2 <b>writings</b> 61:3 <b>written</b> 45:21 <b>wrong</b> 58:5
<b>u</b>		<b>w</b>	<b>x</b>
<b>u.s.</b> 1:11 63:16 <b>uh</b> 8:15 37:9,17 45:6		<b>waive</b> 37:2 44:15 62:4 <b>waiver</b> 25:1,8,17 26:7 36:1 37:1,2 44:12 45:11 <b>waiving</b> 35:21 36:3,22 39:9 <b>walk</b> 62:11 <b>walnut</b> 1:14 <b>want</b> 4:1 12:14 14:1 40:19 51:6,9 61:15 63:5	<b>x</b> 2:1
		<b>y</b>	<b>yeah</b> 13:13 14:15 14:19 62:23 <b>year</b> 19:7 21:18,19 43:14 <b>years</b> 5:14,16 7:24 8:10,13 16:21

20:12,12 22:5,6,20

37:15 42:11

**york** 62:23

**young** 18:19

**younies** 1:5 3:8

9:23 53:6,16